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BOOK NOTES

CONSISTING OF

LITERARY GOSSIP, CRITICISMS OF BOOKS AND
LOCAL HISTORICAL MATTERS CONNECTED
WITH RHODE ISLAND.

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BOOK NOTES

HISTORICAL, LITERARY AND CRITICAL.

CONDUCTED BY

SIDNEY S. RIDER,

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Vol. 14.
No. 1.The Great Forgeries Connected with the
Sachems' Deed to Williams.

An Examination of Mr. Paine's Denial.

"ne Jupiter quidem omnibus placet."

Mr. George T. Paine has done me the honor to print in elegant form "A Denial of the charges of Forgery in connection with the Sachems' Deed to Roger Williams." It was intended as annihilation for my Historical Tract upon that subject. It is indeed a happy situation in all controversies when both sides are equally satisfied. So it is in this case. Mr. Paine is perfectly satisfied that he has demolished my Tract, while I am equally satisfied that he has not touched even the corners of the covers of the argument. It is a "Denial," and nothing but a denial; not a single new fact is produced, nor has a single historical fact cited by myself been shown to be false, or erroneously stated. As a matter of fact Mr. Paine twice admits the forgeries exactly as I have claimed. Then why publish this "Denial?" happily it has been published, and never before has so fine a subject for historical criticism appeared in Rhode Island; I cannot in courtesy neglect it.

Before coming to a discussion of the real questions at issue, I must allude to a statement concerning certain "Harris Papers,"

which Mr. Paine says are in my possession, and "that twenty-five years ago he made copies of them all," and "that nothing can be found in those papers." I think Mr. Paine is mistaken; that he has never seen nor copied them, nor has any other man now living, myself alone excepted. Mr. Paine has never seen them, else he could never say there is nothing in them. Is there nothing in that paper, signed William Harris, 21 Nov. 1679, which is printed on page 97 of my Tract, in which Harris gives the names of his "partners," and which partners on his page 5 Mr. Paine says Harris never had? Either Mr. Paine has never seen this paper, the original of which I have, or he misrepresents the facts.

Mr. Paine begins with the story of the mutilation of the Sachem's Deed, of which mutilation he gives various versions as follows: page 10, the garden seed wrapping paper mutilation, and "so it was torn"; page 11, "one part was taken out"; page 41, "it was accident, or miscareing"; on page 41 he says, "it is presumed this makes it a 'fixed fact' that some accident had happened to the Town Evidence"; on page 70, he gives his opinion "that the mutilation stated to be torn by accident, was an 'eration'; on page 9 he informs us that "eration" was "one act of Forgery under the Statute of Elizabeth"; he asserts that it is a fixed fact that an "accident" had happened to the Sachems' Deed; and in the next breath, that an "accident"

was an "eration"; certainly, both theories cannot be true. On page 18, he asserts "a motive existed for the erasure, or tearing out, which motive was very apparent"; on page 38, he attempts to show that this motive was in William Arnold, and that this motive was "cupidity for himself." The proof is absolute, that Arnold wrote something into the body of the Deed, and obtained the placing of the Deed so written upon the Town Records. *This is Forgery.* It is not "Denied" by Mr. Paine, nor can it be denied. It is clear that the clause is not now in the Deed; it cannot be shown, and certainly it has not yet been shown, that it, or anything else, was ever there; but Mr. Paine charges Arnold with having "cut something out." If the charge was true, *that also was Forgery*, so that Mr. Paine, instead of disproving the charge of forgery, has actually himself added another charge of forgery to it.

This transaction connects the two men, and their subsequent acts indicate with unerring certainty, the motives which actuated them,—they were after the earth. It was a secret not known until 1677, but it was then written to the Governor of the colony, under Harris's own hand, that certain of the heirs at law of William Arnold, who was then dead, were his partners in this huge land conspiracy. These stories of the "eration," the "taking out," the "cutting out," or the "tearing out" of the central portion of the Sachems' Deed, are fabrications by William Harris, done to give color to the need of replacing something,—hence Arnold's interpolation. Harris made the statement, in fact, two different statements, in his Plea of 1677. First he says, "one part (of the deed) concerning Pawtuxet was taken out, and the paper on both sides thereof put edge to edge." This was written by Harris *nineteen years* after the insertion and recording of the Forgery. The second story told by Harris in the same plea, was that "Arnold's wife had given it with garden seeds to some men of Providence and so it was torn."

Both tales cannot be true; but if Harris has in either story told the truth, then Arnold lied; if Arnold told the truth, then Harris lied; but the real fact was, that both men were lying. The only authority cited by Mr. Paine in support of his theory is an anonymous unauthenticated document purporting to have been written in 1708. This document in just sheer assertion, with no proof whatever. Mr. Paine attributes to Howlong Harris. The truth is, nobody knows who wrote it; but worse still, it has two still different stories of the "mutilation." All these statements of "mutilation," "cutting out," "taking out," "eration," "accident," "garden seed wrapping," are sheer fabrications, invented as excuses for *inserting* the forgery. Suppose that six witnesses declare that a negro is white,—go look at him. So it is with this Deed,—go look at it. It shows the abrasions produced by time, and by much handling. The "garden seed" nonsense is pure myth, invented by W. Harris in his plea. Mr. Paine's situation is so very interesting that I venture to restate it. While he has nothing but conjecture to prove that Arnold took anything out, the proof is positive, and he admits it, that Arnold *put something in*; but he suppresses the fact that what Arnold put in, Arnold took from W. Harris. If there was a "taking out" of anything, Mr. Paine admits that the act was Forgery under the Statutes; if there was an "interpolation" of anything, which fact Mr. Paine does not and cannot deny, that was Forgery—thus Mr. Paine confirms my charge, for he asserts a "taking out" by Arnold, and admits an "interpolation" also by Arnold. The man who passes a forged check; utters it, is as guilty under the law as him who executed it. Arnold utters this Deed; either himself, or Harris, or both together, fabricated the interpolation which Mr. Paine admits exists. It was a Forgery.

Mr. Paine can see no possible motive in Harris for the transaction of such rascality; he probably cannot see any motive for the

prosecution of costly suits at law; but Mr. Paine can see quickly enough a motive in Arnold for the act; it was to enrich himself and his family by tearing out a section of the Deed, thus making his (Arnold's) title under Soccononoco valid. Arnold's purchase from Soccononoco was made 30 January, 1641. If he cut the Sachems' Deed to affect this purchase, as Mr. Paine says, then Arnold must have done the thing between March 1638, and January 1641. It is possible, but it is not probable. But Harris's scheme was so much larger, and if successful Mr. Arnold and his family would become so much richer, that Arnold quickly saw that such a clause as Harris supplied would be more useful since his scheme with Soccononoco had failed, and so inserted it. It was one move in the great conspiracy. Harris's motive was sufficiently clear; *he wanted the Earth*; and he and Arnold and Carpenter made wills in such terms as would imply that they *owned the Earth*.

Here again Mr. Paine exhibits that freedom from restraint imposed by "fixed facts." He says (page 42) "William Harris, after relating *the fact* of the accident to the Town Evidence, &c." As his authority here, he refers to Proc. Hist. Soc., 1893, p. 203,—unhappily there is no such statement there; nor can Mr. Paine's "accident" theory be found upon any other page in Harris's Plea, as it does not exist [there; Harris gave in this "Plea" two different stories, one on page 203, and another on page 205, but there is no "accident" in either story.

Then (page 42) Mr. Paine refers to the submission of Soccononoco and Pumham to the English; then to a pretended purchase of land (by Arnold) from those Sachems; then to a suit brought by Arnold against Harris; and then to Harris's victory in the decision of Gov. Dudley. Then Mr. Paine triumphantly exclaims! "Does this look as if William Harris and his partners were attempting to forge or interpolate a clause into the Town Evidence," The answer to all this is, first, that the submission was made

not "to the English," but to the Massachusetts colony (Mass. Col. Rec. II. p. 40). It bears date 22 June, 1643. Of course it does not look like partnership, nor to a forgery; it was in 1643, the partnership was developed sixteen years later, and the forged clause was interpolated in 1658. It probably was not thought of in 1643, and lastly the Mass. Col. Records has *no such case*. Mr. Paine could reason with as much logic, Jones has one hundred cents, Brown has one hundred cents; neither Jones nor Brown is overburdened with common sense. His conclusion has no necessary deduction from "fixed facts." Moreover, here Mr. Paine admits that Harris had "partners," which fact, on page 5, he has denied.

There is one other specification in my claim that forgeries exist: it is the date, 1639. This date, Mr. Paine says, (page 56,) appears on both the 1658 and 1662 records. Mr. Paine is laboring under a mistake. This date is not upon the original manuscript deed, nor is it upon the record of 1662; but it is upon the Arnold-Harris record of 1658, and hence it is a Forgery, and Mr. Paine says (page 56) "it may possibly be so considered." In plain English, it is a "fixed fact"; There were three forgeries at least in connection with the deed, and possibly five. Concerning the word "river," which is the last word in the interpolated clause, and which word is an undoubted forgery. Mr. Paine says (page 17): "It is evident that the word 'river' is on the paper, and probably has been from the inception." It most certainly is now upon the "paper," which, by the way, means the Sachems' Deed. The only question is, who put it there, and when? Mr. Paine does not answer, but he has this profound hypothesis: If it was on the paper at the time of the signature, it was the concluding word of some sentence; and that is precisely the purpose for which it was put there, to fool some simple searcher for the truth. If Mr. Paine will refer once more to the "Plea" of Harris, which he so much delights to quote, at page 203, he will read, after the "taking out"

the part of the Deed concerning Pawtuxet, there was "only one word left of that side, which word was Pawtuxet." If this only word was "Pawtuxet." then it could not have been "river," and certainly Harris ought to have known if anybody knew. But look at the Deed! There is no such thing. Harris did not tell the truth, nor is there a word of truth about his blotted out word which Mr. Paine gives, (page 11); the word is not there, nor is the blot or the dash there. Then Mr. Paine proposes this conundrum (page 17): "Is this word "river" in the handwriting of Roger Williams? He is careful not to say that it is, nor does he give anybody's opinion; the question touches the sublime in impudence.

Mr. Paine has an interesting way of attempting to confuse the mind by suggesting—never asserting—a doubt, when there is no doubt. These are specimens similar to that used in regard to the word "river" above: at page 16, "was not the paper (original deed) in three folds instead of two, and the middle fold now missing"? Go look at the picture of the deed, and then let Mr. Paine answer his own question; at page 20, "a letter, supposed to have been written by Roger Williams." Just as if anybody doubted it; and four lines later on, Mr. Paine himself declares that this letter "bears the stamp of authenticity." Then why raise a doubt? At page 27: "Are we not too much accustomed to take Roger Williams upon his own valuation." Mr. Paine, if his essay stands for evidence, is not afflicted in that way. At page 25: "What interest could Thomas Olney have in committing forgery?" Nobody has claimed that he had any; but what has the question to do with the guilt or innocence of Arnold or Harris? Nothing whatever. Olney was the Town Recorder, and both Arnold and Harris might have felt it convenient to exercise an influence with so very important a functionary just at that juncture. At page 26: "Is it possible that these Deeds, or Transfers," (certain lands from man to man) could have been drawn, one of them by Roger Williams, without a

knowledge that the foundation title was the Town Evidence which gave no ownership to Pawtuxet river, or south of Mashapaug, unless the phrase called a forgery in such deed was there at its inception." If men within twenty years here in Charlestown, R. I., have given deeds of Indian lands, to which they had no more valid title than Mr. Paine has to Venus, what might we not expect from these first land grabbers; elasticity in areas was their first quality, and their last one also; and the Sachems' Deed with the memorandum at the bottom, did all the rest. At this point Mr. Paine shows in 1642, a deed of land extending to the "river Pawtuxet on the west;" on page 50 he gives the deed of this identical territory bought from the Indians in 1661. Mr. Paine reverses his glass when he searches for "fixed facts."

On page 19, Mr. Paine speaks of a statement made in 1666, by Williams, confirming to his neighbors, twelve in number, his purchase of the new Plantation, in which Williams says, after furnishing a reference to the Sachems' Deed: "As also I do freely make and passe over equall Right and power of enjoyeing and disposing of the lands and grounds reaching from the aforesaid River unto the great River Pawtuxett, with the grass and meadows thereupon which was so lately given and granted by the aforesaid Sachems to me." This, Mr. Paine says, shows that Williams understood in 1638 that the Sachems had conveyed to him lands upon the Pawtuxet river." Well, hardly. This extract is taken out of the "written out" copy of the so-called "Initial Deed" made in 1666. This deed was never written in 1638; it was written in 1661; but let me give you the story of the transaction: There was no doubt some kind of a written memorandum made by Williams in 1638; but it was not this thing cooked up by Arnold and Harris in 1661. Moreover, if such a thing really existed, the phrase beginning, "As also I do freely give," would have in 1661, *after the Confirmation Deeds*, an entirely different meaning than it would before that time have

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VOL. 14.
No. 2.

THE FUNCTION OF A HISTORICAL SOCIETY.

The Anarchism of William Harris.

In pursuing afresh the studies necessary for a critical review of Mr. Paine's "Denial" of the views held in the Tract on the Forgeries connected with the Sachems' Deed, written by myself, I came again to the *Plea* of William Harris, printed by the R. I. Historical Society in its *Publications* for October, 1893, and to the "Notes on William Harris" which followed the *Plea* in the same publication, which *Notes* were written by Wilfred H. Munro, Associate Professor of History at Brown University, and a member of the Publication Committee which has charge of the *Publications* aforesaid. Few historical essays as brief as this by Prof. Munro, relating to Rhode Island history, have been so filled with error; some of these errors were pointed out in BOOK NOTES, 2d Dec. 1893, but no notice was ever taken of these corrections in the Historical Society's periodical. BOOK NOTES comes again to the subject. At page 216, V. 1, Hist. Soc. Pubs., Prof. Munro makes a statement that Roger Williams as President of the Colony, issued a warrant charging (William Harris) with high treason. Then, giving some of the proceedings following the service of the of the said warrant, Prof. Munro says, (page 218): "Nothing came of this charge; it was too small a matter for the attention of the

English courts, and John Clarke was too wise a man to press it." Now will Prof. Munro examine this warrant and point out where a charge of high treason exists in it? In truth, it is not in it; and this I say with perfect knowledge of what exists on page 361, Col. Rec. V. 1. But let us proceed.

Prof. Munro follows with the action of the Court of Commissioners as recorded in 1st Col. Rec., page 364, in which the Court said that Harris used these words: "*he that can say it is his conscience ought not to yield subjection to any human order amongst men.*" Then Prof. Munro gives what the Court found, to wit: "His (Harris's) behavior therein is both contemptuous and seditious," and the Court held Harris under bonds with surety, in the sum of five hundred pounds sterling, and directed 'Harris's writings,' with the charge and answer, to be sent to the colony agent at London, John Clarke, desiring him to commend the matter in our and the Commonwealth's behalf for further judgment as he shall see the cause requires." Then Prof. Munro says, "nothing came of this charge; it was too small a matter for the attention of the English courts, and John Clarke was too wise a man to press it." Now, if Prof. Munro will carry his investigation a bit further, say to page 396, V. 1, Col. Rec., he will find that the ship in which Harris's writing, and the charge and the answer, were sent, was lost at sea, with everything in her. May not

this fact have been the real reason why the charge made by Williams was never heard from in England? Prof. Munro says "Clarke was too wise a man to press it; it was too small a matter." Would not the fact that Clarke never saw the papers interfere with such an opinion? Does Prof. Munro undertake to belittle Williams and exalt Harris and Clarke, and use the Historical Society to assist himself? Does this Historical Society really mean to let such a statement stand in its *Publications* as history, the error being so clearly shown? or can Prof. Munro, by virtue of his position as associate Professor of History in Brown University, ignore these corrections? Does Prof. Munro actually think that the promulgation of such a principle as Harris promulgated is *too small a matter* to take cognizance of, in the foundation of a new government? There can be no possible escape for Harris; his anarchism is a court record; there can be no denial; he stands convicted so far as a Rhode Island court could convict him, and from it there can never be an escape. Will the Historical Society recognize this fact in its *Publications* and just so far, right the wrong which it circulated in October, 1893? Does the Historical Society stand for the integrity of history? Three times since forgery was charged in connection with the Sachems' Deed, their *Publications* have been used to vindicate Harris and to belittle Williams, and never once has the case against Harris been stated. In former years little coteries of men have officially used the Society to further pet schemes, and for something worse; but can a Historical Society be properly used for the purpose of obscuring history; lending its publications, in cold type, to print one side of a case, and to print that side with no regard to well established facts. Let me call to mind a few of these cases of such uses:

In 1837, a few individuals used the Society as a means of perpetrating and perpetuating the shameful fraud concerning the old Stone Mill at Newport, as to the Northmen origin of it. In 1837, designing men used one of

its volumes of collections as a means of perpetrating and perpetuating a historical fraud concerning the connection of Roger Williams with the Baptists; in 1842, the Society, in the narrowest spirit of partisanship, excluded from its "Historical" collections everything bearing upon the questions which then shook the foundations of the State; in 1845, in a mood of incomparable narrowness, a few individuals used the name of the Society to offer insult to John Quincy Adams in the matter of the Elliot-Cooper medal; Prof. Lounsbury of Yale has well characterized the transaction; he says, "Adams's conception of an Historical Society was different from that entertained in Rhode Island; he clearly thought it no part of their business to be officially engaged in upholding the reputation of favorite sons, or defending the character of heroes." (Lounsbury's *Memoir of Cooper*, p. 225.) All these things were done by two or three men; for although the membership comprised a hundred men, more or less, meetings were rarely attended by more than from five to seven members, and two or three of these attendants "ran the meeting."

In these latter days the *Publications* have been used for the printing of youthful compositions by students in Brown University, which, from the nature of the case, never can be properly used as authorities in researches. *BOOK NOTES* has many times corrected fundamental errors in these *Publications*; here are a few; *Book Notes*, V. 3, p. 55—in regard to the origin of Warren, R. I.; V. 3, p. 55—error in the enactment of the school law under which the present school system was begun; Vol. 3, page 13—a review of the terrible reprint of the Morgan-Edwards manuscript, showing it to be absolutely untrustworthy as a historical authority; Vol. 5, p. 69—a review of the history of the seal of the Society, in which much light was thrown upon the matter; Vol. 10, p. 277—the corrections in the matter of William Harris, herein above referred to. Not one of these papers has ever received the compliment of a notice;

but the Society has allowed the blunders which it has printed to stand as veritable history.

The owner of the *Journal* personally ridicules the efforts of BOOK NOTES for the filtration of the filthy waters of the Pawtuxet, proudly swelling his plethoric form as he points to himself as a specimen of what "pure" Pawtuxet will do for a man. BOOK NOTES has heard of the coprophagous tribes on the western prairies, but it had not supposed that individual specimens had drifted so far east. Now look at what his paper says editorially on the 27th November, 1896: "It is a noticeable fact, that whenever water is found to be charged with disease germs, effort is directed to the removal of the filth." That is a profound sentence, surely. The editor goes on: "Isn't it time to stop this polluting of rivers? The enforcement of suitable laws will keep most streams comparatively free from defilement; no person (save only mill owners) should be allowed to discharge crude sewage into a river; it is unfortunate that American citizens have not learned how grossly they are imposed on by the small number of individuals occupying river banks." When BOOK NOTES advocated this view a while since, did the *Journal* help or obstruct it? however, let that pass now; the *Journal* is at last right; let us hope that it will continue to be so. Enforce the common law along the banks of the Pawtuxet with unflinching firmness, and a long stride will have been taken, with no expenditure of money, towards the filtration of that water.

The *Journal* of the 4th Dec. '96, has this at the head of its editorial column: "The promptness with which, on threat of court proceedings, one of the persons (the Kent Woolen Co., Mr. Benjamin Waterhouse,) blamed for the pollution of the Pawtuxet river, has shown a willingness to remove the cause of complaint, (throwing filth into the water,) would seem to indicate plainly the course that the city officials should take."

This is the precise ground taken by BOOK NOTES in 1892. The whole matter is within the immediate power of the law department of the city. Once let complaints be made, and the law department and the court will do the rest.

A month ago the *Journal* came over to the views relative to the Grand Jury, which the writer of these Notes expressed three years since. Now it advocates precisely the views laid down by BOOK NOTES as to the relations of mill owners to running sweet waters. These things are now mentioned, not for self glorification, nor for revenge, nor for bolstering my own strength. The truth, is neither more nor less than the truth, whether the *Journal* aids or opposes; nothing that it can ever do will ultimately destroy the action of the truth, no matter how small soever the doses. But why not lead, instead of follow BOOK NOTES.

The Boston *Herald* of the 6th January, 1897, says, "Society will defend itself under all circumstances, legally if it can, illegally if it must." Just so thinks BOOK NOTES. Now, then, neighbor, consider the immediate questions of a "protective" tariff, made to rob society, and a standing army, to keep society quiet while it is "paying" this tax; and the unnumbered trusts made by the Carnegies, the Rockafellers, the Pullmans, the Ghouls, and the Vampires, &c., &c. The slave system of the South was human liberty in comparison. Just think of a man buying a *statute to make you pay a double price* for what he, or his laborers manufacture, and calling it "protecting" you. In the words of the late Associate Justice Miller of the U. S. Supreme Court, "*it is robbery done under the forms of law.*"

The notice of Meissonier in BOOK NOTES, Dec. 12, brought sales for fourteen copies to the writer, and he had the honor of quotation in the Boston *Daily Advertiser*. He who doubts this statement can ask Messrs. A. C. Armstrong & Son, the publishers of the book.

The Supreme Court has appointed a committee of members of the bar to consider complaints made to the court by citizens against members of the bar, otherwise called awyers. The *Journal* states that the court

is in possession of a surprisingly large number of cases of complaints, and that these complaints are of much variety. Whether I might personally increase the variety I do not know, but I could help somewhat in numbers. The *Journal* quotes Judge Tillinghast of the Appellate Division, as saying that a client who had a complaint against an attorney could act only by going to another attorney to prefer charges, and "that attorneys are slow to attack each other." This is my own experience. The truth is, there are too many rascals at the bar, who ought to be brought to the other side of the bar. This committee will come to naught; no reform will come to "the Bar" from the inside; it must come, and probably will come, from the people. If ever there was need of punishment, it is just now, and applied to certain members of this bar. BOOK NOTES will presently discuss these matters. A deputy sheriff of very long experience, has assured me that more than half the writs issued are fraudulent. I have been myself sued in an action in trover, with damages laid at \$300, for the loss of a book, left with me for sale, the value of which was ten shillings sterling, (\$2.50), and forced to go to Newport to defend myself. The case was thrown out of court. I fancy that some clever papers can be written upon this prolific subject.

When deciding on your year's reading, ask to see a sample copy of the New England Magazine. With all the features of the other great illustrated monthlies it has, besides, its own charming specialty. It makes a nice gift for relatives or friends of New England origin, East or West.

If you want a sample of Stephen Crane at his best, read the prose sketch entitled, "The Men in the Storm," in the January *Philistine*.

That little "Treatise," edited by the late Alfred M. Williams, late editor of the Providence *Journal*, entitled "Men of Progress" of Rhode Island, is just seven-eighths of an inch in thickness, and bound in a twenty cent cloth binding. It contains 364 portraits of these progressive gentlemen, and four portraits of gentlemen who had not yet progressed sufficiently to illustrate their portraits with historical sketches of their actions in this world of ours. Out of these 368 Men of Progress, about how many of them would pay \$30 or \$40 for a copy of the book with their own portrait left out. Such a transaction is positively sickening to a bookseller, as it is ninety per cent. of the men who distinguished themselves by going into it.

Messrs. Dart & Bigelow, 3 Custom House street, have recently published an extremely interesting memento of Providence. It is a little oblong collection of views of buildings, or scenes, now existing (1896), tied together with a silken cord, and 6 by 8 inches in size. The many sons and daughters of Rhode Island now transplanted to other, and some of them, to distant lands, would enjoy this little memento immensely. It contains one hundred pictures, and the price is \$1.00. There are pictures of buildings made after a manner in which I fancy the publishers would not again make them,—nevertheless, they are faithful reproductions in art of what they undertake to present.

In *The Century* for January is the third series of illustrations made by Mr. Castaigne relating to Athens. The first set dealt with the old Olympian Games, and was published at the time of the recent tournament. The second series described the games of '96. The third series on Athens of to-day, accompanies an article by Mr. Bikelas, the leading literary man of Greece, in which the growth of the present city and the benefactions to it are the subject of a paper written in admirable English. Among the illustrations special mention may be made of "A Girl from Eleusis."

THE BOOK NOTES.

PROVIDENCE, R. I., January 23, 1897.

Herbert D. Ward, the novelist, has written a novel, which will be the fiction feature of *The Ladies Home Journal* during 1897. It is a humorous story and has the unique title of "The Burglar Who Moved Paradise." It is a sequel to Mrs. Ward's "An Old Maid's Paradise," the husband taking up the pen where Miss Phelps had naturally to put it down when she became Mrs. Ward.

The "Progress of the World," in the Review of Reviews for January, 1897, gives an admirable *resume* of the great world events of 1896. Nowhere else can so faithful and impartial a chronicle of these stirring times be found. This illustrated editorial summary in each month's Review is everywhere recognized as one of the triumphs of journalism.

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TOLEDO, Ohio, Jan. 6, 1897.

Sidney S. Rider, Providence, R. I.

Dear Sir,—I herewith hand you \$1.00 for two years' subscription to BOOK NOTES, to Dec. 31st, 1897.

Thanks for *confidence* reposed.

The "signs of the times" indicate that shall not be called upon again to renew, and I feel doubtful as to whether the new volume will ever be completed.

The Social Problem is up for settlement; and I shall miss my guess, if the beginning of a general smashup fails to materialize before the close of the year. "Man's inhumanity to man."

Yours for the right,

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VOL. 11.
No. 3.

The position of the Supreme Court of Rhode Island in the matter of a prescriptive right to poison running streams.

Look one moment at the terrible position in which the people of the city of Providence are now placed. Having all the law and all the courts on the side of pure water, where are we, if the city government will make no legal complaint, and the law department will not act in case the city government made a legal complaint? The mill proprietors still claim the right, in defiance of all laws, to throw their sewage into the Pawtuxet river, for the people of Providence to swallow.

These men along the Pawtuxet Valley, whose enterprises were established before the city of Providence tapped the stream, claim a prescriptive right to pollute the stream, which in law means a right acquired by long usage. These men should be taught that a prescriptive right to poison the water, or the air, or the earth, can never be acquired; priority of occupancy does not give such a right. How long would John Phenix be allowed to dump his poisonous acids upon Jerry Coe's garden to its utter ruin? What would it matter whether John Phenix held his title direct from Miantinomi himself? that would not affect Jerry Coe's rights. Suppose John Phenix stole Jerry Coe's pig, would Phenix be allowed to plead, or would

such a plea be successful, that his father had stolen Coe's horse, and his grandfather had stolen Coe's ox, and his great-grandfather had stolen Coe's ass, and thus the Phenix's had acquired a prescriptive right to steal by long continuance?—well hardly.

This law of prescriptive right was well stated in the Holman case by the New Jersey Supreme Court. This is the case cited by the Supreme Court of this State (R. I.) in its opinion in the Atlantic DeLaine case. It was carefully printed in BOOK NOTES, 24th Oct., 1891. Let me set forth the position in which the Supreme Court of Rhode Island now stands.

In the case *W. F. Sayles vs. Theodore Schroeder*. The petition of the plaintiff Sayles was filed in 1851, setting forth that the defendant Schroeder hath recently altered the quality of, and corrupted, the waters of the said (Moshassuck) river, so as to render the same wholly unfit for use in the business of your petitioner, and a perpetual injunction was asked, and it was granted. Subsequently, the defendant was adjudged in contempt, and finally was driven from the stream. The city of Providence can do with any polluting mill owner or (mill runner) on the Pawtuxet river precisely what Sayles did with Schroeder on the Moshassuck.

The plaintiff in this case, Sayles, was subsequently the owner of the Interlaken mills, on the north branch of the Pawtuxet river. These mills Sayles sold to the Winterbottom

Book Cloth Co. of Manchester, England, and became managing director; under the company, and in the management of Styles, the In erlaken mills became one of the worst polluters of the Pawtuxet river.

In the case *Richmond Manuf. Co. vs. Atlantic DeLaine Co.*, (10th R. I. Reports, p. 106,) the court held that "The principles of law which govern the case are well settled; riparian proprietors, mill owners, or others, have no right to render the water of a stream unwholesome or offensive."

In the case, *Silver Spring B. & D. Co. vs. Wanskuck Co.* (13th R. I. Reports, p 613,) the court held that "The right of a riparian owner to have the water of the stream flow through or by his land in its natural purity and without appreciable pollution caused by owners above him, is well settled, is a part of his property, and will be protected by injunction. * * In such a case the remedy by action at law would be inadequate. It is too well settled to be subject of argument that the fact that the stream is fouled by others, even by a large number of persons, is not a defence to a suit to restrain the fouling by one."

In May, 1896, the case *R. A. Butler vs. N. E. Electrolytic Copper Co.* was before the appellate Division of the Supreme Court. The defendants asked for a bill of particulars. Tillinghast (Judge) denied the motion, holding that the declaration of the plaintiff was adequate. The Judge thus stated the case: The declaration alleges the use by the defendant in its business, of sulphuric acid, salts of copper, and other harmful and deleterious liquids; and also alleged that the defendant corporation has so carelessly and negligently used the same that large quantities thereof have leaked and been spilled, and been deposited upon the ground near the plaintiff's works, and have saturated and filled the soil of the defendant corporation and percolated, leaked and soaked into the plaintiff's real estate, saturating the soil thereof and contaminating and polluting the water and wells of the plaintiff,

rendering the same unfit for drinking purposes and for use in the plaintiff's business." The Judge held that these allegations cannot fail to inform the defendant corporation specifically of what it will have to meet in the trial of the case.

This statement of the case is in the line of Chancellor Kent; he said, "The right of a riparian proprietor to the use and enjoyment of a stream of water in its natural state is as sound as the right to the soil itself."

In recent English cases decided along these lines; it was remarked thus: "The furthest indulgence that the defendants can ask is the grant of a suspension of the issuing of the injunction for a reasonable time to enable them to get ready to comply with it."

In accord with this idea, the R. I. court, in the case *Silver Spring vs. Wanskuck Co.*, the injunction was decreed March 4, 1882, to take effect May 1st, 1882.

In the case of *Selectmen of Millbury vs. the city of Worcester*, for polluting the waters of the Blackstone river, the Supreme Court of Massachusetts, December 1896, ordered that the city of Worcester effectually remove from its sewage before it is discharged into the Blackstone river the offensive and polluting properties and substances therein, so that after its discharge into said river, either directly or through its tributaries, it shall not create a nuisance or endanger the public health, and that the respondent shall proceed with due diligence in obeying this decree; also that within three months from the entry of the decree the respondent shall file a statement of the steps which it has taken since the filing of the petition and which it is proposed to take in further compliance with the provisions of the law, and that upon the filing of such statement the selectmen of Millbury may file such suggestions as they may be advised.

The most remarkable business prophecies ever made were those made by Samuel Ben-ner in 1875, and issued from time to time since, until now the 11th edition is just

issued, with a *Forecast for 1897*. It is published by the Robert Clarke Company, of Cincinnati, one of the most reliable book houses in this bountry. This house claims it to be the most complete, reliable, and comprehensive work of the kind ever published; showing by indisputable facts and statistics, that *business history repeats itself*, and that the time and manner of occurrence of every "boom" and "crisis" can be foretold by accurate and systematic calculations. The publishers declare that the prophecies are being fulfilled to the letter. It has been reviewed by able business men, and the prophecies are pronounced by them to be the most remarkable commercial discoveries ever made.

It is extremely curious and interesting to note the reasoning by which Mr. Benner reaches his conclusions concerning certain business conditions which he believes will follow from 1897 to 1900. It will not detract from this interest when we remember, or discover, the accuracy of Mr. Benner's former predictions—the law cannot make prosperity, but it can instantly destroy it. Legislators are to-day the greatest evils under which the people are suffering. Read Mr. Benner's *Prophecies*.

The value of Integrity as a matter of Policy.—Is honesty good policy.

Two articles on the Insurance Statute recently enacted by the General Assembly have appeared in BOOK NOTES. These articles cost BOOK NOTES the loss of one subscriber. If report does not belie him, this subscriber was the person to whom the people of Rhode Island are chiefly indebted for the "engineering" through the General Assembly of the iniquitous law which now disgraces the Statute Book of the State. For this subscription, BOOK NOTES received 50 cents a year; it cost BOOK NOTES 26 cents postage to send it; the actual net income to BOOK NOTES was 24 cents a year, out of which it was obliged to pay for itself, and lay by a nest egg for old age. I venture to

suggest to my very excellent, but just now indignant friend, that the loss of 24 cents a year will not go far in the matter of intimidation; nor will 50 cents a year go far in the matter of subsidization. But that love for justice which BOOK NOTES has endeavored to maintain will prompt it always to protect its lost subscriber from being robbed of whatever mead of glory belongs to him for the placing of this terrible law in the Rhode Island Digest of Laws. BOOK NOTES will continue to be issued fortnightly.

Concerning the 80 per cent. co-insurance clause which BOOK NOTES has twice exhibited as a device invented to deceive, a leaflet has been circulated here from Boston, with a view of neutralizing the effect which BOOK NOTES has produced. This leaflet purports having been taken from "The Standard" of Boston, Mass., September, 1896, and to have been written by "a victim of underwriting." The *Standard* of Boston, Mass., is published weekly, solely in the interest of Insurance Corporations, hence, of course, its bias, and hence, of course, the aforesaid "victim" is really an employe of the Insurance Corporations. BOOK NOTES presents the following selected from this precious document, which for convenience it will number:

1. "In view of the efforts that are continually being made to throw discredit and contempt upon this most necessary and beneficial clause for both underwriter and assured; I cheerfully comply with your request to state, as concisely as possible, why it is absolutely indispensable for the proper conduct of the fire and marine insurance business."

It must be a great benefit to the assured to lose three-fourths of the insurance for which he pays, unless at the dictation of the victimized underwriter he takes four times as much insurance as he desires.

2. "It will hardly be questioned that insurance is a voluntary tax raised by private corporations to protect its patrons against the dishonesty, carelessness, accidents, and thoughtlessness of the community."

It is a new use of the words "Voluntary Tax" when a man, to get the amount for

which he pays, is obliged to pay for four times as much guarantee as his loss is.

The insurance companies by means of this 80 per cent. clause, in case a man carries a part of his own insurance, is able to *throw the entire loss* which a man carries *upon himself*, and in addition, *three-fourths* of the amount which *their policies*, upon their faces, carry.

3. "Designing, interested and ignorant business men are endeavoring to continue such methods and have even enlisted politicians to influence legislation to prohibit the use of this very proper clause; and a few states have gone so far as to outrage intelligence, correct underwriting practices, and good government by prohibiting its use."

Designing, interested, and ignorant business men could not labor to prohibit the use of this "very proper" clause unless designing, interested but not ignorant men, had first influenced the legislation which made the use of the clause possible.

At this moment a movement is on foot in the Massachusetts General Court to eliminate that part of the standard form of policy which takes away from men the right of trial by jury, as this policy does. The constitution of Rhode Island says, (Art. I. Sec. 15.) "*The right of trial by jury shall remain inviolate*"; hence any arrangement which takes away this right is unconstitutional and void. Nevertheless, the string of insurance agents and insurance officers who opposed this move to correct a plain violation of the constitution filled an entire column in the Boston Herald.

4. "To continue to do business without this clause means to continue to pit the insurer against the insured, each trying to get the advantage of the other; the one in the rate, the other in the amount of insurance he will decide to carry."

By the use of this clause the insurer is *pitted* against the victim of insurance, but the insurer's dice are loaded.

5. "It has come to stay, but until it is firmly and universally established, Lloyds and all sorts of gambling experiments will flood the country and prevent successful, sound, and safe underwriting."

The General Assembly owes it to the people to repeal this statute at once, or make a statute obliging insurance companies,—when a \$1,000 policy means only \$250, or a \$5,000 policy means only \$1,250,—that fact shall be plainly written across the face of the policy. Men want no sham insurance.

The writer saw at the State Prison a few days since, Robert Crowe; he was pointed out to me by the Deputy Warden, in whose care I was, standing near a steam radiator; he was an old man; approaching him more nearly in order to get a good look at him, his countenance betokened placidity; he was sleek, in good flesh, apparently contented and happy. Thirty years ago in November last, we saw this Robert sentenced to be hanged,—“hanged by the neck until you are dead, and may God have mercy on your soul,” were the impressive words of Mr. Justice Clifford of the U. S. Circuit Court, who pronounced the sentence. The prisoner is living, but the Judge is dead; Mr. James H. Parsons, the District Attorney who prosecuted Crowe, is dead; Samuel Currey and Nicholas Van Slyck, both were appointed by the court to defend Crowe, are both dead; Robert Sherman, the U. S. Marshal who held Robert, is dead; as are indeed nearly all the members of the grand jury which indicted Robert, as well as the petit jury which convicted him. He was sentenced to be hanged on Friday, December 1st, 1867, between the hours of 11 and 3 o'clock. But he was not hanged,—President Johnson commuted the sentence to one of imprisonment for life, and the President is also dead; Robert Crowe murdered the mate of a vessel on the high seas; for this he was tried, convicted, and sentenced. Judge Bullock, who sat in the case, is still living,—but Robert, well kept, and well cared for, will outlive all the men engaged in his trial. Never shall I forget Robert, throwing up his hands in frantic appeal for mercy, and beseeching the Judge to do that which only another could. Judge and

Attorney, jury, counsel and custodian, all have rendered their accounts to their Creator,—but Robert Crowe, the murderer, still lives, a beneficiary of the same government under which these men served, and served with good and honest service—but Crowe for crime. It is indeed a strange condition, when the criminal alone continues and enjoys the bounties of the government.

The following may be gleaned from the State Prison Reports. Robert Crowe—U. S. convict; born in Ireland; crime, murder; time of commitment, March 1, 1867; age, 22 years. This date was the beginning of his life sentence. It was on this day that Judge Clifford sentenced Crowe to be hanged. No mention of Crowe appears in the Report for 1866. Nevertheless, he had been in prison during the autumn of that year. The Prison Inspectors were Augustus Woodbury, Stephen R. Weedon, Stephen C. Arnold, S. L. Caldwell, Georgia L. Collins, Lewis Fair-

brother; and Edwin M. Snow. All have now gone,—and so, too, has George P. Baker, the Prison Physician, and William Douglas, the Prison Chaplain. The Warden who received Crowe, Richard W. Blaisdell, is still living, and so, too, is General Viall, into whose hands Warden Blaisdell committed Robert, in May, 1867, when he resigned the office. In the list of court officers above, I failed to mention Henry Pitman, Clerk of the Court, he also rests from his labors, on the other side. The United States pays Rhode Island three dollars a week for the board and safe keeping of Robert; his clothing has been paid for by Rhode Island, that is generally; the United States paid Currey and Van Slyck to serve as counsel; so that Robert has cost a snug sum—not less than ten thousand dollars for his thirty years of "protection." The thanks of the writer are heartily given to General Viall and to Deputy Warden Rowe for their kindly offices.

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The light he leaves behind him lies
Along the paths of men.

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SATURDAY, FEB 20, 1897.

VOL. 14
No. 4.

The Beginnings of Vaccination in Boston in 1802, and in Providence in 1810.

There was in the New England Magazine for November, 1896, a paper written by Dr. S. W. Abbott, of Boston, entitled a *Memo-
rable Experiment in Vaccination*, in which occurs this sentence: "During this first decade (1796-1806) Boston and some of the neighboring towns appear to have taken energetic measures toward the introduction of vaccination as an important factor in the preservation of the public health." Some materials have recently fallen into my hands which give some interesting details so far as Boston is concerned. There appeared in the *Federal Spy*, a newspaper published in Springfield, Mass., 5 April, 1803, an elaborate account of an experiment in vaccination made by the Board of Health of Boston on the 16th August, 1802, and the succeeding days. The Board stated that in June, 1801, Dr. Jackson addressed it, "asking their countenance in certain experiments which he contemplated making to prove the efficacy of the cow pox as a preventive against the small pox." The Board would not permit it. In June, 1802, Dr. Waterhouse made a similar application; the Board was "deeply affected"; it believed "that this mild and safe disorder, the cow pox, might be substituted for that fatal and distressing one, the small pox"; and it "determined to prove by experiments," whether their faith in the

cow pox was well founded or not." To make these experiments within the town it was necessary to first obtain permission of the town, in town meeting; a law had been enacted prohibiting such innovation without such permission. The town being assembled, this permission was asked, and refused "on the ground that it would alarm the country and injure the trade of the town." After long debate the assembled town voted, "That the Board have power to make the experiments proposed without (outside) the limits of the town, and to take up suitable buildings for that purpose." The profundity of stupidity and covetousness and narrowness here exhibited is positively sickening. How could a Boston town meeting give permission to the Boston Board of Health to make experiments in some other town? Finally, permission was obtained for a Mr. Williams to erect a small building on Noddle's Island, and there made the experiments. Nineteen boys were then taken to this Island, and according to the report of the ten attending physicians, "inoculated for the cow pox with fresh, transparent cow pox matter, taken from the arms of a number of patients then under this disease; these boys all received and passed through the disease to the complete satisfaction of every person present conversant with the disease. On the 9th of November following, (nearly three months subsequently,) twelve of these boys, together with one other, George Bart-

lett, who was a son of Dr. Josiah Bartlett, of Boston, and who had been vaccinated two years before, were inoculated for the small pox at this hospital on Noddle's Island with matter taken from a small pox patient in the most infectious stage of that disease: the arms of the lads became "inflamed at the incisions in proportion to the various irritability of their habits"; but the small pox matter excited no general indisposition whatever; at the same time and place, in order to prove the activity of the small pox matter which was used, two lads who had never had the small pox, nor the cow pox, were inoculated with the same matter, (to wit, the small pox matter); at the usual time the arms of these two lads exhibited the true appearance of the small pox; a severe eruptive fever ensued, and produced a plenteous crop of small pox pustules, amounting by estimation to more than five hundred on one and two hundred on the other; when those pustules were at the highest state of infection, the thirteen children before mentioned were inoculated a second time with recent matter taken from the said pustules, which said matter was likewise inserted into the arms of the seven other boys who were absent at the first (second) inoculation; they were all exposed, most of them for twenty days, to infection by being in the same room with the two boys who had the small pox, so that if susceptible to this disease they must inevitably have received it, if not by inoculation, then in the natural way. Each of the boys were examined by the most distinguished physicians then living at Boston; and which physicians had assisted in the experiments, and were individually convinced that the cow pox is a complete security against the small pox. These physicians were James Lloyd, Samuel Danforth, Isaac Rand, John Jeffries, John Warren, Thomas Welsh, R. Waterhouse, Josiah Bartlett, John Fleet, Jr., John C. Howard, Thomas Danforth. The names of the boys who submitted their lives to this perilous ordeal for the benefit of humanity deserves

to be here reproduced. They were Daniel Scott of Chambers street; Ozias Goodwin, George Goodwin, Samuel Watts, Samuel Ritchie, of Chester street; Robert Williams, Henry Williams, of Cole Lane; John Silsby; Reuben Loring of Wilson's Lane; Abraham Clarke, of Cornhill; Thomas Truman, Elisha L. Truman, John Wyer of Doggett's Alley; Seth King, George Forbes, of Market street; John Harris, William Austin, Fish street; Thomas Spear of Friends street; and William Green of Hanover street. These early details are taken as above stated from an ancient newspaper; the writer has other early papers giving details in other localities of these interesting experiments. These dates of these papers are 1802, 1806, 1808 and 1809. Such were the beginning of vaccination in Boston. Let us look at the beginnings here in Providence.

The town of Providence does not seem to have moved in the matter until June 9, 1810, at which time, at a town meeting, a committee was appointed "to employ some suitable person to inoculate with the "kine pox." This committee consisted of James Burrill, Jr., Tristram Burges, Thomas P. Ives, John Carlisle, John Mackie, David L. Barnes, and Wheeler Martin. The committee engaged Mr. Sylvanus Fansher to perform a general inoculation for the cow pox. This announcement was made 30 June, and the work was begun on the 2d July. The committee urged the community to avail themselves of the opportunity and thus secure the town for many years from all the expense, inconvenience, loss and distress to be justly apprehended from the small pox, either in the natural way or by inoculation." The committee further said, "It ought also to be remembered, that our duty to the community requires us to contribute our exertions, each within his own sphere, to the extermination of that formidable foe to human life, the small pox, and that the cow pox offers the only remedy for this evil, and the only hope of its final extermination." This did not go to the extent of

compulsory vaccination. It was only "our exertions" which we were asked to contribute. The committee further request that "no cigars be smoked in the public buildings designated (for the work to be performed) not only as the *practice is dangerous*, but because it is offensive to many."

A few days later, 21st July, Mr. Fansher gave notice for all persons who had been inoculated 14 or 15 days, to come to him for a re-examination. He said, "The mild character which this preventive justly sustains, has induced many to consider it more simple than it really is, and because it has not proved fatal to any, some have trifled with it, as though none could be injured by it, but it has been abundantly evident that in some cases where the patient has been neglected, and especially at the close of the vaccine process, they have experienced inconvenience and real difficulties;" * * "it is not only for the safety but as much for the care and comfort of all his patients that this notice is given."

The time covered by Mr. Fansher in this inoculation was six weeks; 4305 "inhabitants of the town" were "inoculated; there were 10,071 inhabitants then here. Those who were "inoculated" were "repeatedly examined the most of them"; of the whole number, 321 were negroes; and of the whole number, 382 had been previously "inoculated" and "were in this way tested"; the names of all who were inoculated were entered in a book, which book was deposited among the records in the office of the town clerk. The cost of these transactions were as follows:

| | |
|--|----------|
| Sylvanus Fansher's bill for inoculating 4305 persons, and for six weeks' board at \$3 00 per week..... | \$133 25 |
| James Hammond's bill for attending and distributing hand-bills..... | 24 00 |
| Shubael Cady's bill for four days' service at the places of inoculation..... | 4 00 |
| John Carter's bill for advertising..... | 17 75 |
| Dunham & Hawkins' bill for advertising and printing..... | 25 50 |
| Jones & Wheeler's bill for advertising..... | 8 00 |

Such was the beginning of the present

system of vaccination in the town or city of Providence; the charge for the operation was 5 cents for each patient. In one respect, at least, we have "improved," to wit, in the price charged for the operation; for the latest member of my own family upon whom this interesting "rite" was performed, we paid the physician four dollars, and there was no vaccine fever to contend with at that.

BOOK NOTES for 12 Dec. last had a note on the excavation of the earth beneath the city streets by certain men, and the renting of the space so obtained to certain other men, for the enrichment of the first of those individuals. Again the *Journal* follows BOOK NOTES. It says, Feb. 10, "Many of the property owners in the center of the city are extending their cellars underneath the sidewalks and utilizing the space. The streets and sidewalks (the streets *are* the sidewalks) belong to the public, and Mayor McGuinness believes that if the abutting property owners desire to use the sidewalks for such purposes they should pay rental; in the city of New York such a charge is made." The matter is to be made the subject of an ordinance. The control of a sidewalk by the city does not stop with the surface. Are landlords to be allowed to project their second stories also over the streets to the center, and let the same, and this without limit?

There came to us a few days since a small book printed in London in 1845, entitled a *Practical Work on the Management of Small Farms*, by Feargus O'Connor, Esq., Barrister at law. This man was the leader of the Chartist movement in 1847, and the founder of the great Chartist land scheme which followed, and which involved many poor men in ruin. This book lays down the principles which O'Connor advocated, and which ought to have succeeded, but it did not, and O'Connor went insane and died, but men set up his statue in Nottingham. O'Connor's book is worth consideration.

It would be difficult to imagine a more flagrant violation of human rights than was exhibited right here in Providence in the case of Norberg, by the Health Department. I have a family of seven persons dependent upon three wage earners for their daily bread; one, not a wage earner, becomes ill with some ailment the character of which no doctor can discover, and forthwith the family is shut up in the house, *with the disease*, or driven out of the house, leaving the family remaining to shift for themselves as best they can. It is an abominable outrage, without warrant in law, in spite of the statute. Have men no rights left? If this report of Dr. Chapin's testimony given by the *Journal* is correct, the city is liable in heavy damages for forcing people to expose themselves to supposed contagious diseases when there was actually no known disease present. Dr. Chapin said, "The bacilli are sometimes contagious and sometimes not. By means of the microscope it is impossible to tell whether they are contagious or non contagious. The only way to demonstrate whether they produce the disease is to watch their effects upon the throat;" ** he admitted that the bacilli was not the disease. If that is true, Dr. Chapin is personally liable every time he exercises such reckless power as was exercised in the Norberg case, no matter upon whose report he acted,—nor will the statute avail in his defence.

The Public Market Company, opposite Aborn on Westminster street, is an admirable place to buy supplies of the kind usually kept in markets; but there is one simple rule quite necessary for *you* to follow; it is this: When goods are bought on a "traveller," and sent home with the "traveller," it is of the first importance for *you* to check the purchases, and see whether you have all that were paid for, and this, too, in the presence of the driver who brought them. Neglecting this simple but obvious necessity, cost the writer a box of butter last week.

The Boston *Herald* gives Bradstreet's review of facts and conditions concerning the number of failures in the United States and Canada in 1896, and the reasons for these failures. BOOK NOTES clips the following:

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| | No | Per cent. |
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| Total number failures United States and Canada..... | 17,293 | 100 00 |
| Number failures with very moderate or no credit rating..... | 12,415 | 71.7 |
| Number failing, rated in good credit..... | 4,114 | 25.5 |
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The *Ladies Home Journal* is making immense strides, as it undertakes, with each issue, to excel its own excellence. The latest number, aside from "leaders" of lively force, has also articles on amateur photography, sweet pea culture, plans for a "\$1500 Summer Cottage," matters pertaining to dress and the usual departments. The magazine is boundless in the scope and interest of its articles. By the Curtis Publishing Co. Philadelphia. One dollar per year; ten cents per copy.

In the February *Century* General Porter in his recollections of "Campaigning with Grant," recounts anecdotes and describes incidents of the movements of the army from Spotsylvania to the North Anna. General Porter records Grant's bearing under receipt of bad news, and sets forth the General's relations with his subordinates and his comments on various movements, and in brief gives the look of events as seen from the headquarters point of view.

THE BOOK NOTES.

PROVIDENCE, R. I., February 20, 1897.

The city government has reduced the price of water to certain persons 25 per cent. Such landlords as Joseph Banigan, Marshall Woods and William Grosvenor, and kept the original price upon you and I for our domestic use. Why should Banigan, and Woods, and Grosvenor be thus favored? Was it that they might lower rents? Have the real tax-payers of this town no rights which the city council will respect?

Now going through the press, *Soul Liberty—Rhode Island's Gift to the Nation*. It will be Rhode Island Historical Tract, Second Series, No. 5, written by Sidney S. Rider. It is an exhaustive inquiry into the foundations of the claims made recently by Roman Catholics, that that sect founded the Colony of Maryland on the principle of Religious Liberty before Roger Williams laid the foundation of Rhode Island.

The Adams Express Co. having obtained control of all the Eastern lines of communication, are now fleecing the people by the charges which it makes on parcels. These monopolies are fine things for the people. Is there no remedy against them?

The frontispiece of the *Review of Reviews* is a magnificent portrait of King Oscar of Sweden and Norway, who has been selected as umpire under the general arbitration treaty between the United States and Great Britain.

McClure's Magazine for February has an article entitled "The Making of the Bible"; a title sufficiently startling, surely; and it was written by a Mr. Dana,—a very suggestive name by the way, in this connection,—which describes by what strange, almost miraculous means, narratives of which the original records have perished, survived in fair integrity through centuries of turmoil and confusion; and next it describes the modern instrumentalities and appliances by which those narratives are published in all its varied languages of the world.

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KEDINKER ISLAND.

On the map of Rhode Island, made by Mr. Walling in 1854, there is a small island in the bend of Pawcatuck river, just below the village of Dorrville, in the town of Westerly, to which is given the name of *Kedinker Island*. Mr. Denison, in his "History of Westerly" at page 185, states the fact, but spells the name *Kedinka*. The name of the village has been changed to *Niantic*. wishing to obtain some knowledge of this name, how it arose, and what it means, the writer applied to several gentlemen with the results following. From Mr. Ethan Wilcox, of the Library Association of Westerly: "I have made many inquiries but have not found a person who had ever heard before that there was a 'Kedinker' Island in the town; there is an island made by the Pawcatuck this side of Niantic, but I cannot learn that it was ever called 'Kedinker.' I will inquire still further, and if I succeed in gaining any information I will write to you." From Mr. William Hoxsey, Town Clerk: "Replying to your inquiry concerning the inlet (sic) 'Kedinker,' would say that at present am unable to give you any light on the matter." From the Hon. Nathan M. Dixon: "I regret my inability to assist you in your search for an island in the Pawcatuck; I live near that noble stream, but it is not wide enough any where along here to permit an island to disturb its course; I think the

island you seek is near Niantic; I have intended driving over to Niantic across the lots, but have not found the opportunity. If I can find anything of interest to you in regard to the island or its name I will inform you." Furthermore deponents sayeth not. Book NOTES must "go it alone."

This name originates with somebody no doubt. Mr. Walling was the first in these latter days to print it. The great number of Indian names, or peculiar names given to special localities on this map of 1854 were given to Mr. Walling by the late Judge Elisha R. Potter. This name, "Kedinker," may have been one so given by Judge Potter, and if it was so given, it had its genesis in the earliest times of the English Settlement. Neither the word nor any word akin to it can be found in any Dictionary accessible to the writer. The name is probably neither Indian nor English, but is possibly a corruption of some other name.

Mr. Denison says, the oldest designation of this (Kedinker) locality was Shattuck's Weir, and that Shattuck was the name of an Indian associated with the early history of the place." (Westerly and its Witnesses, p. 185.) On the "Harris" Map of Rhode Island, 1795, the locality is called Shaddock Weir. In May, 1772, (Acts and Resolves, page 15,) several members of the Narragansett (sic) tribe of Indians appeared before the General Assembly, asking permission to sell some land to pay Tom Ninegret's debts;

among them was one John Shattock. It was from this neighborhood that these Indians came (Col. Rec. V. 7, p. 46.) John Shattock was in 1772 one of the Council of the Tribe. Ninigret's land and his home was then *Squamacuck*, or *Misquamicut*, and now it is named *Westerly*, and is a Rhode Island town, so named by the R. I. General Assembly in May, 1669.

There was great troubles arising among the English concerning the purchasing of these Indian lands. The two sets of claimants were the Massachusetts men, under the Pettaquamscutt deed of 1659, and the Rhode Island men under the deed of Socho of 1661. The first deed is in Fones' Records, pages 1-5; the second deed is in Potter's Early Hist. of Narr., page 242. Among the Massachusetts men were the two Smiths, Richard and Richard, Jr., Amos Richeson, John Tinker and others. These men were among the grantees under the first deed, and on the same day on which the deed was dated, Nov. 4, 1659, it was declared by all the grantees "that the Tracte of land to the Southward of Mr. Smith's Traiding House shal be and hereby is set aparte for farmes for Messrs. Winthrop, Atherton, Hutchinson, Smith, (Sen.) Hudson, Smith, (Jun.), and Mr. John Tinker. These men finally had to relinquish their claim to these Squamicut lands in the face of Socho's deed, backed by the colony of Rhode Island and the King's commissioners.

It was during these serious conflicts that the incident following occurred. In 1669 messengers were sent by the Connecticut government upon invitation of Ninigret to visit him on the east side of the (Pawcatuck) river, (at Squamicut). In attempting to make the visit "the messengers crossed the river (it was fordable near Shattocks) and though a company of fellows stood in the common roade, of which William More was one, and the *Tinker* another, with a club in his hand." (Conn. Col. Rec. V. 2, p. 550.) Another record, which connects John Tinker with this locality, appears in Potter's Narragansett, p. 267; a map illustrates the record. Still another record—in 1881, the Hon.

Richard A. Wheeler collected from the early records of Stonington everything which related to the old Post road: "The country highway was laid out March, 1671, from the *swaain place* at Pawcatuck river, * * and so through the part of the field where 'the Tinker' did dwell." (Potter's Narragansett, latest edition, p. 423.) I have thus brought to this spot, "Kedinker" Island, Ninigret, Socho, John Tinker, and "the Tinker," under record evidence.

It may be a whimsey, or it may be a chimera, nevertheless I am determined to suggest it,—that the name John Tinker, and the soubriquet "the Tinker," the last of which I have found used in connection with the lands in the immediate neighborhood of this peculiar island as early as 1669, and again in 1671, have been corrupted into "Kedinker,"—"the Tinker,"—"Kedinker,"—and the name fastened itself in some way, at some time, upon the island. This fancy is sustained, so far as known to the writer, by no authority. It is almost comical, nevertheless, it seems plausible. Of course, it has not the weight of authority which a definition, or a derivation of the Indian word *Chopmist*, a hill in western Rhode Island has,—a lady has given it to the writer thus: An Indian in the earliest days attempted to *Chop* off a white man's head, and missed (mist), hence, *Chopmist*.

An addition of much value has come to be that collection of Rhode Island literature which the writer has spent much time gathering. It is nothing less than the annual Report of the School Committee of the City of Pawtucket for the year ending with June 1896. That which interests the writer, and which he will try to make interesting to you, is the course of study prescribed. The entire education of a child is laid down in nine courses—from the kindergarten to the high school graduation; this note will be confined to the *first* grade, open to children from five to eight years of age; "a beginning is made in nature study, history and literature," * * "developing the language out of these con-

tent studies;" * * "the order is to see, think, feel and then express." My early education was so neglected that I do not yet know what a "content" study is. The infant is required to "name the principal parts of the body (excepting legs), head, neck, trunk, arms, (right and left,) hands and feet, and what can be done with each." Not having taught the infant that he had legs,—a fact which he surely would never have discovered without the help of a teacher—why teach the use of the feet? Would not the first question which a bright boy would ask be, what is the use of a foot without a leg?—and then he would be justified in using both his leg and his foot with a boot on it upon the seat of understanding of him who devised this foolish system. The infant is then encouraged to express what he sees, but we are not to look for finished drawings"; and lessons are to be given teaching the boy "running." Most boys in my early days acquired this art outside the school-rooms; now, in Pawtucket, a professor of running is necessary; and ex-Mayor Teipke is out of the School Committee, too. But why not "seek for *finished* drawings" in their efforts to express made by these children? Michel Angelo made them; why can't these infants do so too? ain't Pawtucket children as smart as Mike was? Then these children are to be taught to "*sketch a snow flake*." Sketch a snow flake!! I do not believe there is a person connected with these Pawtucket schools, from the janitor down to the superintendent himself—Mr. Gilman C. Fisher—who can "*see*" a snow flake—much less sketch one? The kind of "history" to be studied is not presented, whether natural, political, theological, or literary. Bœckh's *Public Economy of Athens* is a clever book for beginners; this might be assisted by Lewis's *Egyptological Methods in Matters of Chronology*, since dates were once considered useful in historical studies,—the infants might then hope to attain to a comprehension of the *History of Jack, the Giant Killer*, by Nemo. But it is in literature that the sublime is reached in

this course for five year olds. Longfellow's *Hiawatha* is the book. From this poem "selections are to be learned," and "stories adapted," "Sentences taught"; after the selections *are* learned, and scenes and stories *are* adapted, would not the infant have "caught on" to the sentences? that is "anything" but a Pawtucket infant; but see the sentences taught *after* the infant has acquired the art of "adapting scenes." * * "I see the cradle," (and am still in it.) "I see a star," (probably fell out of his cradle.) "I see the tent" (error in printing the last word); "I have a feather" (doubtless a tail feather); "I see Nokomis." Here we stop. John Milton once wrote a *Mask* which he called *Comus*; BOOK NOTES suggests to Mr. Super-Fisher, that in printing his new editions of this course, he adopt this spelling: "I see no-Comus,"—no mask of real fundamental knowledge by this superficial sham, which costs loads of money, and shows nothing but the superficial stupidity of the men who made it. Is there to be no limit to this fad-following-folly? We are beginning with *Hiawatha* and ending with *Henri Coops* in the High Schools, and producing applicants to Harvard who cannot write a single sentence in the mother tongue. Go it, Pawtucket; your sons may know an ass when they see the animal, but they can't spell the word, "all the same."

The *Atlantic* for March is positively a great number; the writer has not for years seen a monthly issue of any periodical so well worth the attention of thoughtful men and women. This single issue is worth to any man the cost of a year's subscription. The articles are varied in the subject matter, and suited to variously constituted minds. They are not only thoughtful, but they leave you still thinking; they are thought-suggestive. Where all are so good it seems wrong to select; but we suggest Mr. Hadley's on the Good and the Evil of Industrial Combination; Mr. Higginson's *Cheerful Yesterdays*; Mr. Lowell's excellent paper on Ve-

nus; Mr. Fiske's Arbitration Treaty—it is positively great,—and Mr. Wilson's cool and dispassionate paper on Cleveland.

It was on the morning of the 4th of November, 1884, that the writer, having first cast his vote for Grover Cleveland, came slowly along down Broadway, when an acquaintance overtook him with the question, "Well, for whom did you vote?" "For Cleveland," I answered. The young man was actually as badly shocked as I should have been by a moral leper. "You'll see the day that you'll be sorry, and ashamed," said my young friend. But I hav'n't. In fact, I still look back with much complaisance upon the votes which I cast for Abraham Lincoln and for Grover Cleveland.

Maderia is an island, the largest of a small group lying in the Atlantic Ocean, four hundred miles, more or less, off the coast of Morocco, in Africa; it belongs to Portugal; it is about 35 miles in length, and twelve miles in breadth. It is, or was, on this island that the Malmsley grapes grew to such perfection, from which the Madeira wine was made. The situation of the island, out in the broad Atlantic, the low latitude of the place, the even temperature, and the highlands, all conduce to the production of a climate most salubrious to people suffering from sundry maladies. To these qualities we must add another, to wit, the listless laziness of the lives led by the inhabitants; they "go slow"; an island, with postal communications only fortnightly, with the outside world, can't go into a mental frenzy over telegrams once every five minutes. In such a place one perforce gets rest. A little book about this invalid's paradise has recently been published by Mr. Drexel-Biddle, of Philadelphia, which is both curious and useful; it is in the nature of a Guide-book, for it gives details as to steamer routes to be used in getting there, and where and how to live when one gets there; it is filled with illustrations of the people and the scenery, both being illustrated with pen and pencil

in a satisfactory manner. There has indeed been no lack of literature relating to this charming island by both English and American writers, and at least two Germans—F. von Hochstetter and C. Mittermaier; among the English are W. R. Wilde, in 1840; Robert Steele, in 1810; W. Hadfield, in 1854; R. White, in 1857; and the delightful sketch by Mrs. Brassey in her *Voyage of the Sunbeam*. Among American authors, we have C. W. Thomas, 1860; J. W. Spalding, 1855; C. W. March, 1856; John A. Dix, 1850; W. M. Blackburn, 1870, (not worth mentioning); the very interesting sketch by the Rev. Walter Colton, in his *Ship and Shore*, 1834; and the still better chapter in his "*Atlantic Islands*," by S. G. W. Benjamin, and which is well illustrated withal with many wood-cuts. Nevertheless, this little book by Mr. Drexel-Biddle has a use which none of these writers have supplied; the fault is that it is *too* small; it might profitably be much enlarged in the characterizations of the people who dwell in this romantic spot, concerning which Mr. Benjamin said, "the more I reflect upon its scenery, the more I feel that neither pencil nor language can exaggerate the natural attractions of this the finest of the Atlantic isles; in climate, Madeira may be well reckoned among the isles of the Blest."

The other day BOOK NOTES called the attention of those who buy of the Public Market Co., on "travellers," to the necessity of checking the "traveller" at home in the presence of the driver, in order to see whether what you bought and paid for was sent home; and we showed how we had failed to be supplied with a box of butter for which the writer had paid; lost by not checking, and preserving the "traveller." The necessity for this caution is shown from the fact that last week the same thing happened. This time it was eggs that we bought and paid for; they were not sent; by checking the "traveller" the loss was discovered in the presence of the driver—the eggs were sent. Eternal vigilance is required for butter and eggs.

An anonymous person, afraid to show his ignorance over his proper name, sends what he considers an ungrammatical clipping from BOOK NOTES in the paragraph concerning the rate for water charged by the city to large landlords and that charged to house owners. A reduction of one fourth, 25 per cent, has been made to the large landlords who rent stores, while you and I—house-holders—are made to pay the full rate originally charged. Now this individual, instead of trying to pick flaws in my grammar, had better expend his energies in trying to rectify this preposterous outrage—taxing both him and me (if he likes that better) to make these landlords richer. Why should the city of Providence charge my grammatical friend \$10.00 for the same amount of water which it sells to his landlord for \$7.50.

You cannot have a truly great and good man unless a truly great and good woman laid his foundations, brought him into this world and trained him for his future career.

On the night after Mr. Cleveland was elected Governor of New York, he wrote to his brother, "If mother were alive I should feel much safer." This, too, from a man of indomitable courage; and one, too, who, alone, single handed, has wrought for himself a place in American history in the front rank. (See the *March Atlantic*.) When Mr. Higginson was confronted with a prison for the part which he played in trying to wrest the slave Burns from the officers of the law, his mother wrote to him, "I assure you it does not trouble me." Look at the simplicity and yet greatness of these simple words. We need not go to Sparta for mothers. (*March Atlantic*, p. 353.)

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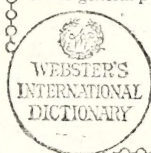
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BOOK NOTES

HISTORICAL, LITERARY AND CRITICAL.

CONDUCTED BY

SIDNEY S. RIDER,

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No. 6

The writer in BOOK NOTES, V. II, p. 240, investigated the claim made for the Roman Catholic Church, that it was the first in all the world to plant a State on the principle of Religious Liberty, or to make "freedom of conscience an organic part of the constitution of a state." We took for our "text" a paragraph from a book entitled *Sources of the Constitution*, then recently published by the Rev. C. Ellis Stevens, LL. D., D. C. L., F. S. A. This was the paragraph: "The boast was wont to be made that the Puritans of New England led the way in establishing by law religious toleration; a similar claim is still put forth in behalf of the Baptists of Rhode Island; truth must award the honor to Maryland, whose action proceeded from a combination of Catholic and non-Catholic conditions." The writer proved that such a principle as Religious liberty had never existed in Maryland before 1818, nor did it legally exist in that state before the constitution of 1850; a certain kind of limited toleration for certain, but not all, sects had existed there from the first establishment of the colony, but nothing of the Rhode Island type. The result of the BOOK NOTES criticism, so far as the Rev. C. Ellis Stevens, LL. D., D. C. L., F. S. A., was concerned, was the issue at once of what he called a second edition, revised and enlarged. The first edition had 277 pages; this second edition has 313 pages. This increase of material is confined to the appendix, and it con-

sists of, 1st, a paper entitled, Democracy and the Constitution, which is chiefly given to a criticism of Dr. Borgeaud; 2d, Early State Constitutions (American) with some extracts, and 3d, the articles of confederation of 1777. There is no revision whatever in the body of the book, save only at pages 216 and 217, and this relates wholly to the Maryland Religious Liberty question. At page 216 the learned author has substituted the following paragraph for the one printed above: "The boast was wont to be made that the Puritans of New England led the way in establishing by law, religious toleration; a similar claim is still put forth in behalf of the Baptists of Rhode Island and the Roman Catholics of Maryland. The honor belongs to Rhode Island, where legal action of the colony, proceeding, however, from the co-operation of diverse religious elements, was taken in 1647; the toleration practiced earlier in Maryland was of a limited character." Then follows an elaborate footnote in which occurs this paragraph:

"Correspondence and Early Town laws show that a *sentiment* favorable to religious liberty existed from the beginning of the colonial settlement; this *sentiment* was much influenced by Roger Williams. Not improbably Roger Williams, himself an Englishman, received impressions on the subject from the Dutch-English Anabaptists, though that seems not to be historically demonstrated." (p. 217.)

In his former issue this paragraph read thus: "The claim of a Dutch origin for religious toleration in America is unhistorical; the honor belongs to Maryland." (p. 217.) The indexes to each edition under "Maryland," still refer for Religious Liberty to page 216; but under "Rhode Island," no reference to Religious Liberty appears.

There appears in the Constitution of the United States this clause: "Art. 1. in amendment of the Constitution, adopted with the Constitution 1789-1791, reads thus: 'Congress shall make no law respecting an establishing of religion, or prohibiting a free use thereof.'"

This clause is discussed by the learned gentleman at pages 215-219 of his book, and credit is given by him to about everybody but Roger Williams, and to every colony but Rhode Island.

This learned gentleman, with many titles, in the preface to what he calls his second edition, says, "The call for a second edition of this work within a few weeks of the issue of the first, is gratifying evidence of public interest in the subjects considered." The revision which the author says he has made, consisted in the cancellation of pages 216-217, and the insertion of the matter relating to Rhode Island herein set forth. It is now 1897, and no further editions have been required. In this second edition, the author at page 206 states his purpose: "The aim of the present book has been to indicate, by the appeal to history, in what manner and to what extent the American constitution is actually evolved from colonial and European sources."

Whoever evolved from its constituent elements the idea of religious liberty, or religious toleration, neither myself nor any one else knows. This principle is found in the article and in the words cited above from the constitution of the United States; this instrument is the fundamental law of this nation. In studying the sources of this fundamental law, how is it possible to skip Rhode Island; it cannot be skipped; it was

planted here in each town, as each town was settled, specifically by laws, and as quickly as these towns were united into a colony, it was re-enacted into a code; hence it was in actual existence here in Rhode Island in 1790, at the time when the constitution was adopted, and had been so for a period of 154 years; it was the fundamental principle of government in Rhode Island in 1636, and ever after; but not in Maryland until 1850; and yet the learned writer does not tell us a word of all this. If he is attempting to write history, why not write history. The idea that the principle of religious liberty which Roger Williams planted here arose "from the co-operation of diverse religious elements," is unadulterated nonsense; the learned divine is flying in the face of the fact. What kind of a historical writer is he who defines the Rhode Island principle of religious liberty as a "*sentiment*," and a "*sentiment*" * * *influenced by Roger Williams.*

These things will be treated by Mr. Rider in a new Rhode Island Historical Tract, just ready, under the following title:

SOUL LIBERTY.

RHODE ISLAND'S GIFT TO THE NATION.

An Inquiry concerning the validity of the claims made by Roman Catholics that Maryland was settled upon that basis before Roger Williams planted the Colony of Rhode Island.

The Boston *Herald* of 26th Feb. states that a petition is before the Massachusetts General Court for the repeal of the co-insurance clause in the "Standard" Form of Fire Insurance Policies, which the fire insurance companies succeeded in getting enacted in some half dozen different States, and the matter now is in the hands of a committee of the General Court. This committee, the *Herald* says, "heard reasons why Mr. George of Haverhill desires the abolition of the co-

insurance clause in fire policies. Several gentlemen from Lynn and Haverhill assisted him, but they seemed more interested to complain of high rates than of co-insurance. There was quite an attendance of insurance men, and Messrs. Osborne Howes, B. B. Whittemore and E. B. Cowles spoke at length in support of the co-insurance feature as the result of experience, and as tending to reduce rather than increase rates."

Do these insurance men, who obtained the enactment of this outrageous statute, whereby we are forced to pay for one thousand dollars worth of insurance, and actually get only \$250, expect that they will be believed when they allege that the clause "*tends to reduce rather than increase rates?*" These men are trying to make us believe that they got this statute in order to *force themselves to give us more* for our money.

There is one little difficulty with the *Herald* article, to wit, the standard form of insurance policy has no such clause; *it is not in the law*. This clause is a "*faster*," stuck on the policy after it is written, and reduces, or may reduce, the liability of an insurance company by three-fourths. It makes the person insured pay three-fourths of the loss which he supposed that his policy covered. A man might have a policy for \$1000, and have a fire which burned \$2000; all that the insurance company would pay would be \$250, while the man himself pocketed a loss of \$1750,—\$1000 his own, and \$750 was the insurance company's, and yet the company had been paid by the man for a \$1000 insurance.

The *Journal* of 27th February gives "an abstract of the business of fire insurance done in Rhode Island in 1896." The *Journal* says,—"*risks written, \$519,506,224; premiums paid on these risks, \$4,438,504;*" thus the average rate per cent. was .00854—. Then the *Journal* gives the "*losses paid, \$1,290,345.*" Thus, on a premium of .00854— per cent., these gentlemen have made a profit of \$3,148,159.—nearly 71 per cent. What other business in Rhode Island can make such a showing for the year 1896?

This was the result of the 80 per cent. co-insurance clause, the operation of which covered that entire year. BOOK NOTES has twice shown the operation of this clause; how a nominal premium was quadrupled by it—a premium of one and a quarter per cent. was increased to a premium of five per cent., while at the same time, all that you could possibly recover in case of a loss, instead of being \$1000, would be only \$250. The advantage of this legal swindle is clearly shown by the enormous gains made by the companies on a premium of only .00854—. The immediate question for all men is this: Are men to be permitted to obtain the enactment of laws by the General Assembly for the purpose of robbing the people—for this insurance statute is neither more nor less than legalized robbery?

The insurance companies have invoked the assistance of the General Assembly in devising a scheme by which they could "scoop" safely more money out of the people; and the General Assembly gave the insurance companies its assistance. The constitution of Rhode Island, Art. 1, Sec. 15, declares "The right of trial by jury shall remain inviolate"; nevertheless, these insurance companies, under this statute, issue no policy which does not, so far as they are themselves concerned, attempt to take away this right, and by accepting such a policy a man agrees to the conditions. Do these insurance men for one moment suppose that two parties so situated, can repeal or defy a constitutional provision. The gentleman who discontinued his subscription to BOOK NOTES, because it holds an opinion regarding his using of the legislative powers of the State for his own enrichment out of his fellow citizens, shall not soon hear the last of his despicable act. There shall be no equivocation nor suppression of the opinion of BOOK NOTES concerning any man who will use a legislature,—a body created to protect and guard the public interest,—to make a law enabling him to rob his fellow citizens, entitled equally with him to the protection of the laws.

There are indications that certain officers of the Health department are displeased with the frank utterances of BOOK NOTES against the arbitrary manner used by it against citizens in cases of supposed contagious diseases. The writer is a tax-payer, and a citizen; he may have done an impolitic thing, but his right to criticise the acts of city officials is not to be questioned. These gentlemen have neither a right, nor can any power grant them legal authority to *imprison myself, nor any member of my family, in our own house*, with a person afflicted with a disease either contagious or supposed to be contagious. The recent action of the Board of Aldermen in conferring upon Dr. Chapin certain powers, is wholly without warrant in law. Let Dr. Chapin attempt to act under it in the case of a man of some nerve, and see where he will land. He will become personally liable; the city of Providence may pay his fines; but in case he takes me and shuts me into a house with a contagious disease, which I take, and die,—well, my family will no longer need my assistance, for my last act will be to get for them the help of an honest lawyer.

A sheriff acts under the authority of the General Assembly, just as in the last analysis the Providence Health department acts; but a sheriff is under \$25,000 bonds, so that he can be made to settle, in case he imposes upon you in the exercise of his powers. In case you do not believe this, ask him to serve a writ of replevin for you.

Now, gentlemen of the Health department, don't get angry with BOOK NOTES for trying to protect both myself and yourselves in these cases.

Anent to the delicate allusion in the last issue of BOOK NOTES to the "Course of Study," euphemistically so called, prescribed for the schools at Pawtucket, there comes a letter to the writer from which he takes the following: "Here is a *true* Hiawatha story for you. A teacher asked one of her flock the name of a baby cousin. 'It is Walter,' answered the child. Why,—said the teacher, how came your auntie to call the baby that?"

the little one deliberated a moment, and then replied, "Oh, I 'spose cause she had heard about Hiawalter." Since you seem to be interested in schools and school-books, may I venture to ask your opinion regarding the following examples: The *first* (one) I copied from Bonnycastle's Arithmetic, published in 1786. "If a Cardinal can pray a soul out of Purgatory, by himself, in an hour; a Bishop in three hours; a Priest in five hours, and a Prior in seven hours, how long will it take them to pray out three souls, all praying together?"—*Ans.* 1 h. 47 m., 23 sec. The *second* is from Greenleaf's (what) edition of 1847: How far did the lost Spirits in Milton's *Paradise Lost* fall in nine days?"

My friend wants my opinion,—here it is: The first example is simply a shocking violation of good taste and good sense: the second is incomplete. They both show that the original fool was not him who compiled the foolish rules of Pawtucket. Throw your taxed money into the Blackstone if you wish; it will do just as much good there as it will in following these silly rules. But BOOK NOTES must not be impolitic; the last article cost it one subscriber. He was in arrears. He sent the back dues by his son, whom he had taken from the schools at Pawtucket, which the father was taxed to support, and sent to a Providence private school, where he might get at least the semblance of an education.

An opportunity is about to be given to the book lovers of Providence to obtain Mr. Larned's *History for Ready Reference*. BOOK NOTES has already carefully set forth the admirable qualities of this splendid work—the compressed essence of all History. A couple of years has only confirmed the judgment which the writer first gave upon it; it is incomparable; it approaches all sides of a question; it is not only two-sided, but it is many-sided. Every young man or woman who desires to become scholar or ought to subscribe for Mr. Larned's book. If you can't get it in any other way, come to the person who wrote this note.

PAWT., March 16, '97.

Mr. Sidney S. Rider:

Dear Sir,—If it gave you as much relief to rid yourself of your feelings on the "Pawt Course of Study" question, as it does me to give you my opinion of you as a "litterateur," I cannot so much blame you for the article quoted in the *Times*. Otherwise, you are very much in need of repression. You need not have announced the fact that your early education was neglected. It is a self evident fact. It is also a self evident fact that you are no gentleman either by birth or education. Yet I pity you somewhat. It seemed so desperately hard for you to be funny. At least, I think that was what you aimed at, wasn't it? If you deem the thing ill planned and above the children's heads, why not get up a better one? Any one can deride anything. No doubt the public would hail with joy a course of study suitable for children emanating from you. You remember Dr. Wayland's advice to the brilliant youth who thought he could improve on Proverbs.

Your article will certainly work like a boomerang, revealing the defects of its author as a man and a writer, and in no way affecting any change in what is good, till a better is produced.

This is anonymous, ergo, is sent where it belongs, but I already feel better by writing it, and it certainly can't harm *you*, for obvious reasons.

"NEMO."

And yet again we "catch it." The *Times* reprinted the BOOK NOTES article, whereupon the following letter, claimed to be anonymous, is inflicted upon us. It is admission of defeat; in no sense meeting the BOOK NOTES criticism. To call the writer uneducated, is what he himself admits; to say that he is no gentleman, is to deny what he has not claimed; but neither, nor both together, show that the BOOK NOTES criticism was not in fact just; and the letter itself is evidence that the writer of it, defender of the absurdly nonsensical course of study which we reviewed, was hard hit. The writer,

claiming to be anonymous, under the thin disguise, "Nemo," has given his real name, "Mr. Nobody." Anonymity is the quality of a born gentleman.

In the report of the sale of the Phoenix Woolen Mill at East Greenwich, under a mortgage, and the purchase of the property by the mortgagee, the *Telegram* of the 10th ult. said, "Mr. Williams (the mortgagee) further stated that he intended to run the mill, and that there would be no town, state, or national politics connected with it; every man should vote on all matters as he saw fit."

The *Journal* put this remark in less bold phrase, thus, "Mr. Williams said that if he started the mill, it would be his plan to run it on a strictly economical business basis."

Is it in this way that these Rhode Island mills have for years been run? "Vote the mill runners' ticket, or no work"; has that been the economic labor law of this State?

The development of genealogical studies under the inspiration of the Daughters of the Revolution and the Colonial Dames, leads now and then to curious inquiries. Here is a fresh problem. Our ten year old Mabel asks her mother this genealogical conundrum: "Am I the grandmother of a child that ain't yet alive?" but the mother was equal to the emergency. She replied,—probably.

An elegantly bound set in 5 vols. of the Library of Wit and Humor, edited by Mr. A. R. Spofford, of the Library of Congress, is on sale at the office of BOOK NOTES, Snow street, for \$7.50. The subscription price is still \$15.00.

A fine set of Keating on the Diseases of Children, in four volumes, is on sale at the office of BOOK NOTES, Snow street, for \$10. The subscription price is still \$20.

The *Journal* of the 18th inst. gives 20 feet and 10 inches in length of its columns to an account of the Prize Fight, and editorially it gives three (3) lines on the question of immorality. *Vive la journalisme.*

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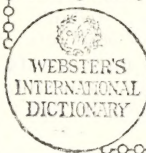
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BOOK NOTES

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SATURDAY, April 3, 1897.

VOL. 14
No. 7

Has the Work of our Health Boards really
reduced the death-rate from Disease?

The Humbug Diphtheria Scare of
1896-7 in Providence.

The State Board of Health in its *Monthly Bulletin* for November, 1895, said, "So long as the bacillus of diphtheria is still found in the throat of the patient, that patient is not considered free from quarantine, and will not receive a permit to return to school." In his testimony in the case against Norberg. (January, 1897, Dr. Chapin, Superintendent of Health, said: "The bacilli are sometimes contagious, and sometimes not; by means of the microscope, it is impossible to tell whether they are contagious or non-contagious; the only way to demonstrate whether they produce the disease is to watch their effects upon the throat." Then continues the *Journal* in its report of the case, "he admitted that the bacilli was not the disease." The general untrustworthiness of the statistics published in the Reports of the Superintendent of Health, Dr. Chapin himself admits in the report issued in 1895, thus, "All the figures in the preceding table would have more value if it were at all certain that the diagnosis was correct; recent investigations in bacteriology have shown that without a bacteriological examination of the throat the diagnosis is as likely to be

wrong as right." Precisely; but in the latest utterance the Doctor admits that, "with the microscope it is impossible to tell whether the disease is contagious or not," * * and still further, he admits that the bacillus is not the disease; in plain truth, you can pick up a dozen children in any school-yard to-day with the klebs bacillus in their throats, not one of whom have then, or will develop diphtheria.

Dr. Swarts, Secretary of the State Board of Health, in the latest publication of the Board gives the following facts; it must not be overlooked that they relate to the entire State, and not to the city of Providence. There were 1939 cases of suspected diphtheria (the primary cultures) sent to the Board for bacteriological investigation; of these, only 636 showed the klebs bacillus—less than one-third. Dr. Swarts continues: "In 917 cases the physician had considered the case to be diphtheria clinically, before sending in the culture, and the diagnosis was confirmed in 448 cases." We should state that slightly different, thus, "the diagnosis was not confirmed in 469 cases; in plain truth, the physician guessed wrongly in more than one-half the cases. Under the arbitrary action of the City Health Department, a card, "*Diphtheria Here*," would be nailed to the doors of 469 houses in which there was no such disease, and families quarantined, exposing every member to the supposed prevailing epidemic.

If the readers of BOOK NOTES would like to see for themselves the utter chaos into which medical science has fallen in the matter of diphtheria, go by all means, and go quickly, to the *Medical Bulletin* of the State Board of Health for Jan.-Feb. 1896, and read, yes, study, a paper written by Dr. F. B. Fuller, of the city of Pawtucket; it is as bluntly honest as BOOK NOTES itself, and of course as damaging to a healthy development of all truth.

Dr. Fuller thus states the situation: "The theories of bacteriologists seemed like light in darkness, like simplicity amid perplexity; you simply abstract a piece of the patch from the patient's throat, carry it home to your microscope, or better yet, take your microscope to the bedside, find the bacillus labelled Klebs-Loeffler, and call your case diphtheria. What a dream. In fact, the practitioner can do nothing of the kind; only an expert bacteriologist, who will devote much time to the examination, can tell a Klebs-Loeffler bacillus from a micrococcus." Dr. Fuller says that the State Board of Health have provided bacteriologists without cost, and then follows with the result in his own practice. Just here please note that Dr. Fuller is one of the most highly educated physicians in Rhode Island, and is in full practice, within four miles from the office of the State Board of Health. Now see how the scheme worked. Physicians are "obliged to report every case of diphtheria within twenty-four hours of its discovery, which means that we are ordered to decide within 24 hours, what formerly we took several days to do." Then comes a case in actual practice. "A patient four years old, seen Tuesday and Wednesday, with fever and sore throat; no membrane could be found; croupy Thursday night; Friday morning difficult breathing, and the usual membranous croup symptoms, with possibly a slight formation of membrane in the posterior pharynx, and with slight enlargement of the glands;—a case that would have been called membranous croup a few years ago;

the throat was swabbed, a culture tube infected and sent to the State Board of Health Friday p. m.; the child died Sunday morning, and after I was all through visiting the case, came a report from the State Board of Health, saying 'it is a case of diphtheria.'" Then under the law, Dr. Fuller goes "on Sunday noon and reports the case to the Health Department, and up goes a card on the front door saying "*Diphtheria Here.*" Then Dr. Fuller says, "the neighbors wonder what kind of a Doctor I am."—(Monthly Bulletin R. I. State Board of Health, Jan.-Feb. 1896, pp. 12-15) That this is a fair statement, so far as the State Board is concerned, appears from the same "Bulletin," p. 18, where the Secretary says, "The positions assumed by the previous article are the same as those taken by the State Board."

It now actually appears that we had no diphtheria epidemic here during the past winter, notwithstanding the alarming newspaper talk. The State Board of Health reports for 1895 for the entire State, 516 cases; and for 1896, only 636 cases, a nominal increase; a wild fright was given by irresponsible reporters, who wrote merely for the sensation; and this has resulted in a number of suits for damages, which with cooler heads on the part of these gentlemen could never have arisen. Dr. Swarts in fact, gives as his leading paper, in the current *Monthly Bulletin*, a severe scoring to the *Journal*, on "The injury that can accrue to the public by second hand information of the Daily Press," but on the very next page, Dr. Swarts admits that the sensational paragraphs published all the winter long "for weeks were demanded of the department through one of its youthful but active representatives"; but why give out such stuff? Is not the State Board of Health regarded as authority? Then continues Dr. Swarts, "In fact, the demand was made that the department should enforce the detention of all members of a family while the infection remained in the house." Well, why yield to the clamors or demands "of the youthful but active" re-

porters? What was the Board of Health there for, anyhow, unless to stop this nonsense? Then Dr. Swarts speaks of "This so-called vindication of the Court." It was not, or is not, the court which needs vindication, but it is the methods of the State and the city of Providence Boards of Health. The *Journal* had said with reference to the result of the case brought by the City Health Department against Norberg, "The result not only vindicated Norberg, but the investigation revealed methods of the health authorities that might at times work serious inconvenience to the public." Now look the facts squarely in the face. The *Journal* had published such information as Dr. Swarts had given to it, or that it had obtained through the State Board of Health. Step by step, these gentlemen went on, continually developing the arbitrary methods which were at last put into practice; the *Journal* did not develop the methods; it simply recorded them, but bye-and-bye it ran up against a decision of a Court, and it saw that it had gone wrong; what was it to do? take back water, or overthrow the court? The truth is, that the public is indebted to these Boards of Health for a great scare; there has been no diphtheria epidemic here; yet everybody who read the newspapers believed that there was such an epidemic. 1306 men, many of them utterly unable to bear the expense, have been saddled with heavy bills held by some doctor. Now what is the good in it. Boards of Health were originated to *prevent* costly sickness; not to cause us useless expense for imaginary diseases. It is time for Reform.

In the last issue of BOOK NOTES we printed an anonymous letter signed "Nemo," written by some person in Pawtucket connected with the course of study prescribed for the public schools. The letter was not quite complimentary in terms to us, but it was in effect an admirable illustration of the positive necessity for the reforms in the elementary system of education as now pur-

sued, for which the BOOK NOTES has contended. In the place of drawing the thoraxes of grasshoppers, or the geometrical forms of crystallized snow flakes,—neither of which can be understood by children,—teach young children to read and to write the English language; and just here the point comes in. This anonymous friend said, "If you deem the thing ill planned and above the children's heads, why not get up a better one? Any one can deride anything. No doubt the public would hail with joy a course of study suitable for children emanating from you."

It is hardly essential to "get up" a course of study "for children emanating from me"; as a matter of fact, I cannot see how a child *can* emanate (issue forth) from me.

Again, Mr. Nemo says:

"Your article will certainly work like a boomerang, revealing the defects of its author as a man and a writer, and in no way affecting any change in what is good."

Now look at such a construction of language as that! How can the work of a boomerang reveal the defects of its author as a writer? Do boomerangs have authors, or is a boomerang maker a writer? Does not the work of a boomerang, in actual fact, reveal, not the defects, but on the contrary, the skill of the person who made it? There could scarcely be a better illustration of the false methods now pursued in those Pawtucket schools than this letter affords; the man is a victim of his own false methods; he cannot write a merely anonymous note in his mother tongue; no wonder he hesitated about putting his real name to such a paper. Again,—in the phrase, "in no way affecting any change," Mr. "Nemo" has used the wrong adjective; affecting, means touching the emotions, and applies to that only which is pathetic; effecting, is the word he should have used. Evidently, the early education of Mr. "Nemo" was, like that of the present writer, neglected; he may be able to draw the thorax of a grasshopper, but he can't draw an inference.

If the person who wrote this anonymous

letter was in fact closely connected with the management of these mismanaged Pawtucket schools, and was also closely connected with this absurd course of study which BOOK NOTES has mentioned, the question arises,—is he not a competent instructor in the construction of boomerangs?

A BOOK NOTES subscriber in Boston sends the following to the editor :

“Judging from the way they handle public schools, one might fancy there was a clause in the U. S. constitution requiring us to admire the schools through thick and thin, and compelling all governments to add to the appropriations for said schools. I shall expect to hear, one of these days, that there was neither reason nor common sense in the world, until these schools, and their teachers, and those inevitable committees, invented them. Here, in dear Massachusetts, we try to put public libraries on the same footing. I am told about once in twenty-four hours, that the public library educates me, whatever that may mean ; and that the least one can do in return, is to worship the thing, to increase the appropriations and to be thankful, morning, noon and night, that we are privileged at last, to read, fiction, *fiction*, FICTION, which will develop our “imagination,” whatever that may be. To make my happiness complete, I am told that in case I love gold, and hate silver, I am honest ; but very dishonest in case I like silver, or greenbacks, also.

Apropos. The people of the city of Boston owe (\$1,000,000) four millions of dollars of bonds for the Public Library Building, and they are paying on the same, \$200,000 interest money every year. This building has but just been “completed” sufficiently for occupancy, and the trustees are knocking at the doors of the city treasury for “alterations.”

Three editions of the March *Atlantic* were required to satisfy the public demand. BOOK NOTES told you it was a great number.

Mr. Drexel-Biddle wrote a pretty little Fairy tale, entitled the *Froggy Fairy Book*. It was issued for the Christmas of 1896, but having just reached BOOK NOTES, anything that the writer could now say would be of no avail in giving success to the venture ; but BOOK NOTES can say, that the cleverness of the tale gives the promise of success in any future effort in the same line which Mr. Drexel-Biddle may undertake ; the story is gracefully told, with flexibility and ease, and is sufficiently entertaining to win the attention and affection of children. Ah! these Fairy tales were the delight of my own childhood and harmed me not.

BOOK NOTES reads none of its exchanges with more real pleasure than it does the *Pawtucket Valley Gleaner*. It is published in the very center of that region through which our city water supply comes. In the latest issue, Mr. Campbell gives the story of a woman of Philadelphia, pleading with the government of that city for Pure Water, closing the story in these words : “Thus we come here to-day with the feeling strong within us, that if our request be granted, almost all the misery caused by hundreds of cases yearly of Typhoid will be avoided, and the sum total of the health and happiness of our citizens will be greatly augmented.” Good! First keep all filth from running streams. Nobody ever had, and can of course never acquire, any legal right to poison such waters, either with bacilli or with arsenic. Meantime, while the City Government is actually throwing away hundreds of thousands of hard earned dollars in wicked robbery, and calling the act education for the young, it actually refuses to filter this nasty Pawtucket water. Is there no God in Israel?

In case you desire to learn how an Insurance company in Massachusetts played with its policy holders, by which trickery the holders were actually robbed of immense sums of money, which was taken from them by those who managed the company, see the *Springfield Republican* 29 March, 1897.

THE BOOK NOTES.

PROVIDENCE, R. I., April 3, 1897.

The article in this month's *New England Magazine*, which will make a strong appeal to all who are interested in our literary history is that upon "The First *New England Magazine* and Its Editor," by Rev. George Willis Cooke. This old *New England Magazine* was established in 1831 by Joseph T. Buckingham, and it played an important part in the literary history of Boston in that time, giving currency to the early writings of Hawthorne, Whittier, Dr. Holmes and others who afterward became famous.

The story of Grant's life as a farmer and business man in Missouri, after he had resigned from the Army and before the Civil War, will be related by Hamlin Garland in *McClure's Magazine* for April.

Beginning with the April number, *McClure's Magazine* will hereafter be published on the first day of each month. April 1st the April number will be on sale on all news stands and delivered to all subscribers, from the Atlantic to the Pacific; and thereafter exactly on the first day of each month a new number will be published.

Mr. E. L. Godkin, this month's *Atlantic*, in his studies of Democracy in its practical aspects, shows the serious weakness of our political system caused by our irresponsible nominative methods. The break-down of the machinery for making nominations has defeated everything like really representative government. The gravest danger to our political institutions is found in this failure.

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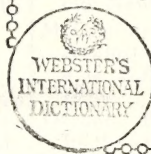
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BOOK NOTES

HISTORICAL, LITERARY AND CRITICAL.

CONDUCTED BY

SIDNEY S. RIDER,

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An Illustrated History of Pawtucket.

By Robert Grieve.

During recent years a class of books has been published relating chiefly to men, and remotely to the local history either of this State, or the counties or to towns within it. An imitation of historical writing has been used as a line whereon to hang the picture of any man, who had money enough, and was willing to pay for having it hung thereon; and the tale of his life, told by himself, in leaded pica, garnished the volume. The historical parts of these books have been generally unworthy of notice, except for condemnation; they have been generally worse than worthless, in that they have been treacherous,—we are never sure of the truth, which they pretended to give us. The writer confesses being filled with this prejudice when “An Illustrated History of Pawtucket, Central Falls and Vicinity,” was brought to us for review. The secondary title is as follows: “A Narrative of the Growth and Evolution of the Community,” by Robert Grieve, and the volume, a handsome, medium quarto, in cloth, gilt edges, was brought embellished with the portraits, or biographies, or both together, of 465 of the most distinguished men now living, or who have lived in the vicinity, or within the cities. Concerning this portion of the book it will not become us to speak, further than

to say that it is the equal of anything of the kind which has preceded it. But upon Mr. Grieve's “Narrative” let us dwell a moment, for it purports being a history of the founding of the town, and the development of the town into a city. The entire volume has upwards of 500 pages; the historical portion has 230 pages; and this is ample space in which to write a first rate book. Let us examine the work of Mr. Grieve. The Pawtucket Gazette and Chronicle, publishers of the book, speak of Mr. Grieve as “the compiler” of it; but BOOK NOTES claims for Mr. Grieve that his work therein makes him something more than a compiler; he is in fact a veritable author. It is true that he has used the work of his predecessors whenever and wherever he could find it; but he has digested it, and added his own mental labor to it. Those former writers were prone to error; they are in truth blind guides; their books are filled with silly tales, told by antediluvians in their dotage, with never the slightest test of examination; two or three times Mr. Grieve, I grieve to say, has been tripped by them; but of this I will speak later. The story begins very properly with the physical characteristics of the country, dwelling largely upon the Blackstone (as we now call it) river; but for this river, Pawtucket would never have existed. Mr. Grieve says (p. 15) “the river is named in honor of William Blackstone, the first white settler.” Upon this name let us dwell a

moment. Mr. Richardson, in his History of Woonsocket (page 26), says: "It (the river) has been called, the Seekonk; the Narragansett; the Patucket; the Neetmock; the Nipmuck; the Great; and finally, the Blackstone; but not until the beginning of the present century did the name come into universal use." A further note of my own let me add: The name "Great river" seems to be found in the land transfers founded upon the General Court of Massachusetts, which body had jurisdiction from 1667 to 1746. But in the Providence Records the river was called "the Pautuckett" in 1646, and so continued to be called, in these Records, and in the Laws down to about 1830. In 1787, and again in 1809, the General Assembly in granting a lottery, called it the "Pawtucket"; Mr. Pease, in his *Gazetteer of Rhode Island*, 1819, speaks of it as the "Pawtucket"; Mr. Lockwood, on his map of Rhode Island, 1819, gives it many names, thus, from Fox Point to Pawtucket, "the Seekonk"; from Pawtucket to (perhaps) Blackstone, "Blackstone" river; from Woonsocket to Chepachet, "Branch" river. In this nomenclature, Mr. Lockwood followed Harris's Map of Rhode Island, 1795. In 1854, Mr. Walling made his map of Rhode Island, in which he gave the names, "Seekonk, or Pawtucket," from Fox Point to Pawtucket; "the Blackstone" as far as Woonsocket, and "Branch river" to Chepachet. So that the name "Blackstone," as applied to the entire stream, did not come into general use until a quite recent period, and it came in gradually.

Now let us return to Mr. Grieve. A shadowy account of Mr. Blackstone is given, taken chiefly from Mr. S. C. Newman, a most untrustworthy writer, but in this case it might as well be Newman as anybody, for nobody actually knows anything of consequence concerning this eccentric person. Then follows the story of the acquisition of the lands from the Indians, which was the work of Roger Williams, for Pawtucket came with Providence,

hand in hand. The first settlers come in next for notice, and of these the first was Joseph Jenckes, Jr., (or Jenks); concerning this person Mr. Grieve dispels an illusion in regard to the time of his coming; he does not give proof at what time Jenks came, but he proves that the date, 1655, which other writers gave, cannot be correct; and he gave this family proper credit as being the founders of the town. As the use of water power developed, Pawtucket grew, but when this power was applied to turn spindles for spinning cotton and all kinds of machinery, in 1790, then began the real growth of Pawtucket, and to this period, 1790-1890, Mr. Grieve gives three-quarters of his story, which he has told gracefully and well. The characterization of Roger Williams is excellent; but the lack of details concerning the work of the Wilkinsons, which, in spite of their financial failures, was of the greatest importance, not only to Pawtucket but to all manufacturing centers, is unfortunate. The trouble is, that these very able men left no representatives who were sufficiently interested to see that the results of their works should be well set forth.

We cannot let Mr. Grieve go without a bit of criticism. On page 49 appears this phrase: "Commodore Esek Hopkins, the first Admiral of the Continental navy, was a resident of the town." If Hopkins was an Admiral, why call him Commodore? but in fact he was neither; his title or rank was "Commander-in-chief of the Navy." He was commissioned by the Continental Congress (Journals of Congress, 1776.)

On page 33, in a note it is written, "He (Joseph Jenckes, Jr.) was allowed to record his deed, April 27, 1674." This needs explanation; any man could have his deeds recorded on the Town Record books. There must have been some objection on the part of some unknown person, and a decision had not been reached by the town meeting. Such a case was that of Stephen Arnold, (Prov. Rec., v. 3, p. 26.) Objection was made to the record, and record was suspended.

Mention has been made above to the coming to Pawtucket of Joseph Jenckes, Jr. It may not be amiss to add this note: He was arrested and thrown into prison under an order of the General Court of Massachusetts on a charge of uttering treasonable words against the King. Upon the trial in May, 1661, Jenckes denied in general the charge, and the judgment was, "neither doeth it appeare that the same cann be legally proved." Mr. Jenckes was acquitted. Rhode Island made this man one of her colonial Governors, and sent him as her Minister to the King of England.

On page 32 appears this phrase: "If he (Joseph Jenks) did come at that time (1655) he must have been so poor that he was obliged to hire land." No man in those early days was allowed to hold the earth which he could not personally use, against its occupancy by another man who could, and would use it. Such a thing as rents for land was unknown in Rhode Island in those days. Mention has been made by Mr. Grieve of certain mechanical services rendered to the public by the elder Joseph Jenks; these were of so much importance in a new settlement that I give here a condensed note concerning them:

The Massachusetts General Court on the 6th of May, 1646, granted protection to Joseph Jenks, Senior, in "making engines for mills to goe with water," and for making "sithes and other edged tooles," and for a "new invented sawemill." In May, 1655, the same authority granted protection to Mr. Jenks for an "engine for the more speedy cutting of grass." On the 9th Oct. 1667, the same authority refused its assistance to "Joseph Jenks, Sen., of Linn, in wyer drawing." In May, 1672, Mr. Jenks made a "proposall for ye making of money, &c." It was not granted. For the authorities, see the Mass. Col. Rec. under the proper dates.

There is one other name which we looked for in vain among the biographies—the late Thomas K. King. He was a member of the

Rhode Island bar, and a bright and honest man, one of the founders of the Free Library at Pawtucket, and its first president. The absence of his name is a sorrow to the writer of BOOK NOTES.

The work of Mr. Grieve is a credit to himself, and of use to his fellowmen.

There has never been a day since the establishment of public schools, when so much money is taxed from the people to support them, and such flimsy results, so far as education is concerned, are attained. The Boston *Herald* of 26th March gives an extended report of a public meeting in Boston called for the purposes as stated by the *Herald* as follows:

"The dissatisfaction with existing conditions in the administration of the school systems of Boston and other cities which has been more or less openly avowed during several years, took definite shape at a meeting held in Huntington Hall, Institute of Technology, last night, under the auspices of the Woman's Education Association."

There were 600 persons present; the principal address was delivered by Andrew S. Draper, president of the University of Illinois, and formerly State Superintendent of Schools in New York. BOOK NOTES quotes President Draper as follows:

"The public school system is nearer the breaking point in the large cities than it has ever been before, anywhere in the country, or at any time in its history. The question is up whether the schools shall cease to be the schools of all the people of the great cities, and a negative decision upon that question would open the dyke that is the security of the public educational system of the country."

Then Mr. Draper shows how the thing works. You are the parent of a pupil, and you are not satisfied with the intellectual progress which your child is making. "You go to the teacher, the principal, the superintendent and the board of education for relief, but you get none, for the reason

that none of them can help you without the co-operation of all. The organization is such that it resists the citizen who is looking for instruction for his children more than the unfortunate who is in quest of support, or the pillager who is looking for plunder." * * *

"The multiplication of numbers in the teaching force, and particularly the extent to which inexperienced and unprepared persons are received into it, and the practical impossibility of getting rid of inefficient teachers, make it necessary to impose severe limitations upon the freedom of the whole force in order to prevent the useless ones from doing harm. This stifles individuality, which is the essence of good teaching." * * *

"The amount of money paid to support the schools of a great city sharpens the cupidity of the non-productive sponges and cormorants of society. There is greater opportunity and keener appetite for plunder." * * *

"*The life of the schools is the instruction.* We must take one course or the other in reference to it. We may stand indifferent and let church politicians, club politicians, school politicians, combine for selfish ends, and defy the best sentiments of the people, whose most precious interests they are bound to promote. There will be no growth and no progress." * * *

"But the great industrial and professional class of American citizens must be satisfied with what is done in the schools, and they are not going to be, and they ought not to be, easily satisfied. *They will have a curriculum with less confusion in it,* and they will have clean-cut, scientific teaching, by persons with whom they are glad to have their children come in contact and whom they would be glad to see in their homes, or this public school system with its enormous cost will go to the wall."

The *Herald* continues: "Short speeches, endorsing Mr. Draper's ideas, were made by Bishop Lawrence, Secretary Hill, Supt. Seaver and others."

The result was the appointment of a com-

mittee to co-operate with committees of two members each, which might be appointed by the Municipal League, the Twentieth Century Club and the College Alumni Association. The nine persons so selected are to devise some definite plan of reform in the administration of city public schools, to be presented to the next Legislature.

At this moment the School Committee of Providence is about to pass a vote of censure upon one of its own members, for speaking his mind, which in honor he was bound to do, upon these matters—well, do it. The writer once had this celebrity thrust upon him. The School Committee voted 35 to 2 that the "ring" was right and the writer wrong. He was made the object of the most bitter attacks,—but he appealed through the *Journal* to sensible men, with the result that the School Committee was completely overthrown. Were I now to reprint the speeches made in the School Committee by the most respectable men, such for instance as the late Gov. Hoppin, the Rev. Daniel Henshaw, Mr. E. M. Thurston (a dealer in school furniture), in denunciation of myself, they would appear incredible.

The Newport Herald of March 31st gives an extended report of a meeting of the Newport *Coin and Medal Club*, a Society of Numismatics. Dr. Horatio K. Storer is President of the Society, and is an enthusiastic student of the subject. Dr. Storer's address before the Newport Historical Society on this subject, July 1887, had the honor of a translation in the *Revue Belge de Numismatique* in 1888. Dr. Storer is President (Honorary) of the Massachusetts Gynecological Society. In 1887 he published an elaborate note on the "Medals, Jetons, and Tokens, illustrative of Obstetrics and Gynecology"; this was followed in 1889 by an account of the "Medals of Benjamin Rush," (Obstetrician.) Dr. Storer has published also exhaustive studies upon certain surgical operations connected with his medical practice.

THE BOOK NOTES.

PROVIDENCE, R. I., April 17, 1897.

It is now stated that two newspapers published in Boston, to wit., the *Advertiser* and the *Transcript*, had sufficient character and sufficient strength to decline to print a word about the prize fight at Carson City; the *Evening Post* of New York city, and the *Springfield Republican* printed little or nothing,—but the *Providence Journal* gave 20 feet and 10 inches to the disgusting spectacle, and columns upon columns of preliminary discussions. It seems incredible that the constituency thus exhibited makes such a showing for this beautiful city,—are we so low in morals?

Under the new tariff law it will be possible to raise sheep in New England at a good profit.—*Pascoag Herald*.

It will be just as possible to raise elephants, and in Maine, bananas can be grown for American consumptives.

When we read of such a "catastrophe" as befell the men who trusted the Globe Savings Bank, we wonder why the *Journal* don't bring out the favorite word which it uses regarding fires,—the Bank "*was gutted*." The plain truth is, that all the thieves are not among us who are on the outside of the Banks.

The newspapers here are corporations chartered by the people, and granted certain rights and immunities by the people. Have they the lawful right to discriminate between people in accepting business? Can these chartered bodies lawfully refuse my advertisements, being in a legitimate business, while inserting similar advertisements for other men in the same line of business,—at the same time opening their columns to clouds of communications denouncing the "horrors" of paripatetic advertising? Do these chartered institutions mean to drive certain business men out of the city by means of city ordinances which they intend to have enacted? Well! Well!

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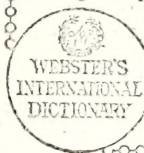
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VOL. 14.
No. 9.

THE INCREASING DEATH-RATE IN RHODE ISLAND.

The other day Book-Notes asked the question, "Has the work of our Health Boards really reduced the Death rate from disease?" It will now proceed to answer; for in the reduction of the death-rate lies all there is of success or failure in the business. And this, too, is fair, for it was upon this reduction of the death-rate that the organization of the State Board of Health was asked by the petitioners and justified the asking. This was in 1878. The medical gentlemen who engineered the act through the General Assembly, asked it because they pretended to believe that a very considerable part of the sickness that afflicts humanity is preventable;" and they further asserted, "that the results of the labors of the Health Boards in England show conclusively that the sickness and mortality of those localities (sic) have been very materially reduced." The money advantage to the State was carefully estimated as shown in an individual life; if he died, the public loss was exactly calculated; if he lived, the public gain would be immense; thus the establishment of a State Board of Health would, by reducing the death rate, be a source of great profit to the State, far above all cost. This source of profit was directly pointed out to those gentlemen politically controlling the General Assembly, and it was shown just how it

"would enhance the interests of individuals in compact communities, like manufacturing villages. Thus its work was one of "policy," as "well as duty," since "Health and Longevity are the *natural* inheritances of mankind." The policy of the person who devised the law creating this State Board is apparent. He first appealed to the men, chiefly manufacturers, or men controlling mills and mill villages, by suggesting that these villages might become sources of disease entailing great *pecuniary* loss both *public* and *private*; then the person attempts to scare the public by suggesting that "these Fountains of Death may become so *incorporated with large pecuniary investments* as thereby to acquire the title of a vested right." So that in case the General Assembly did not create the State Board of Health with a round salary for the Secretary, "there would be the possibility of costly litigation and heavy damages." Such was the abominable logic upon which the State Board was asked and founded. Look at it. Suppose the Knights allow Natick to become a sink-hole of filth; disease breaks out, decimates the help, the mill is closed, and the profits of the Knights cease; the pecuniary value of my life has become property, and is a vested right, not in myself, but in the Knights; and this vested right allows the Knights to bring an action for heavy damages against the State because of my death; and that this liability on the part of the State can be

escaped by establishing the State Board. Such were the reasons assigned by these learned medical men for the law, and they were given just such a law as they desired; and it is a legal curiosity,—a sham from the enacting clause to the signature of the Secretary of State. Dr. David King of Newport was made "Permanent" Chairman, and in that capacity issued the first address; in it he said, "The primary purpose of these Boards is the prevention of disease, and the diminution in a marked manner of the death roll of the people."—(First Report, p. 13.) Dr. C. H. Fisher was then made "Permanent" Secretary, and the Board of Health entered upon the work of "increasing the *natural* inheritance of man, health and longevity," by lowering the death-rate. Let us note the result, beginning with the Board of Registration in 1853, and covering the forty-four years down to the present time. The number of deaths in each 1000 of the inhabitants of the State:

| | |
|---------------------|---------------------|
| 1853-1857 inc. 13.7 | 1874-1878 inc. 16.7 |
| 1858-1863 inc. 16.2 | 1879-1883 inc. 17.8 |
| 1864-1868 inc. 16.9 | 1884-1888 inc. 18.6 |
| 1869-1873 inc. 17.2 | 1889-1893 inc. 19.6 |

For 1888 the death rate was 20.4 in each 1000 inhabitants, and in 1887 the rate was almost as bad, 19.9. Thus the death rate has been constantly and steadily increasing until the increase has been fully twenty-five per cent.

This increasing death-rate has not escaped the attention of the State Board. Whenever the rate has increased it was because of greater accuracy in the returns, whenever the rate decreased it was because of the efficient science of the State Board. Let me give you a few specimens: "The proportion of the number of deaths in any region to the number of persons living in it is one of the most obvious tests of its healthfulness," (1853.) "It is particularly unfortunate that we have so poor returns from manufacturing villages," (Report, 1853, p. 60.) Now see how contradictory: "The principal advance in the (death-rate) has been, not in

the activity of the great destroyer, *but in the more complete record of death's doings*," (Report 1853, p. 29.) Thus in 1853, the Board laid great stress upon the accuracy of its records. In 1854, the Report says, (p. 28,) "There appears to have been a steady, and great increase in the mortality within the short time since these Reports begun." The more favorable the rate the worse the return; the more unfavorable the rate the better the return. In 1890, the Report says, (page 103,) "The death-rate during the first four of the 21 years, (1869-1889,) was 16.4, and during the last four it was 19.5 per 1000 living." This increase was still charged to the more accurate returns after 37 years of trial. In 1853, the Report boasted of the accuracy of the returns, and in 1878, the Report says, concerning the unreliability of the returns, that it related not so much to the numbers of the dead as to the causes of death. (Report, 1878, p. 24.) Medical men may differ in the naming of diseases, but men cannot well make errors in counting the bodies of the dead. In the same Report the Board said, (page 111,) "The figures may be trusted as showing with essential accuracy the proportion of deaths due to certain diseases"; and on the same page the Board says, "The defects are great enough to deprive the results of value as the basis of *exact* and *general* deductions." How deductions can be both general and exact I do not quite understand. These annual reports have continual complaints, not against the *incorrectness of the number of the dead*, but of a lack in assigning the *cause* of the death; that of 1873 is referred to above; that for 1874 can be found on page 78, "marked diminution in the *unknown causes*"; that for 1876 at page 87, ("still further reductions from *unknown causes*;" that for 1878 at page 101, "report deficiency and incorrectness in *regard to causes*"; "The returns of the *causes* of death are manifestly more incomplete than any other of the vital statistics of the State," and that for 1881, p. 111, "The delay in making *prompt returns* is given as the reason

why the cause of death was (so frequently) unknown." Those who made the returns waited so long that, while they did not forget the fact of death, they forgot what killed the individual. But this charge is not alone to be made against the Town Clerks and others who made the returns, but it is directly chargeable to the State Board itself. The following facts are taken from the Report of 1879, page 88: "The death rate for 1879 was 16.2 in each 1000; in 1878 the death rate was 17.2 in each 1000; this apparent discrepancy is owing to the basis of comparison, that for 1878 being according to the census of 1875, that for 1879 is according to the census of 1880; in reality, in the whole State the rate of mortality during the last six years has not varied fourteen hundredths of one per cent." Let us see, here are the actual figures taken from the Report of 1890, page 103, For 1873, 20.3; for 1874, 16.4; for 1875, 16.7; for 1876, 15.9; for 1877, 17.2; for 1878, 17.2; for 1879, 16. The statement by the State Board is wholly false; but why use the census of 1880 in making the calculations for 1879? how was such a thing possible?

This article is written solely in the public interest; the writer need not say that he has no private grievance, nor is it directed at any of the present officers of the State Board; as a matter of fact the present officers had no connection with the facts against which we contend. It is possible that some public benefit may result from the institution of Health Boards; but never when such Boards are constructed upon the plan on which our State Board was constructed; the purpose of its peculiar construction is quite apparent, and it accomplished the object for which it was instituted; it is time for a change. Measured by the advantages claimed for it by those who obtained its establishment, it has failed, utterly failed; if no better results are possible, let it pass away. In the words of those who engineered it through the legislature, the great benefit to be derived from its establishments, was in the saving of life shown, or which would be shown, in the

reduction of the death-rate; but instead of a reduction, the death-rate has been very largely increased—certainly not less than twenty-five per cent. This is not a matter of opinion, but a hard fact, shown by the statistics made by the Board itself, during the forty-five years of its existence; during all these years the Board has repeatedly discredited the accuracy of its own reports; we cannot be expected to go behind the returns. If that which the Board says is true, why does not the Board correct their methods and obtain reports that can be trusted? Why continue to print fictitious returns? If the actual death rate is not greater, what is the value of the record? If the death-rate is greater, then what is the value of the work of the State Board? With a constantly increasing death-rate, why keep a costly State Board in existence? If, in the forty-five years of work, better methods have not been developed, what is our hope in the future?

—

Having put the people to very great inconvenience, and very great expense, by means of the diphtheria scare of last winter, the State Board of Health is now before the General Assembly with a bill for nearly one thousand dollars for the microscopist in hunting for Klebs-Loeffler bacilli, and which when found would be no guide, for Dr. Chapin admitted in the Norberg case, that "with the microscope it is impossible to tell whether the disease is contagious or not," and further, if the *Journal* stated the truth, "he admitted that the bacilli was not the disease." Under such conditions, why this bill?

—

THOMAS STEERE.

—

Yes,—my old friends are gathering along the paths beyond. One by one they lay aside the burdens of life, happily, let me believe, to enter upon the joys of eternal happiness. Thomas Steere has passed the border line. It scarcely becomes me to speak, where so many have spoken, and spoken, too, so well of this gentle gentleman; and yet some spirit moves me. It must be under some

subtle law whereby we find affinities in our opposites, that such a rude, stern soul as is that which just now inhabits this body of mine, should find that which it loved in such a genial gentle spirit as was that which left us when Thomas Steere passed to the other side. It is mere repetition when I enumerate his virtues, for others of his brothers have done for him this service. His every act was covered with modesty: he was for every man's happiness save only his own; he was never parsimonious in his good nature; he was profound only in his simplicity; his learning so silently acquired, was disclosed by that which he did; he was never boastful; he loved in literature only that which was true, and beautiful, and good; his complainings were exactly matched by his spirit of endurance; he was the incarnation of Bitter-Sweet, the beautiful way-side flower, which in the early June comes so modestly as rarely to attract attention; he knew, he felt, and yet he spake not. This allusion to Bitter-sweet, which touches so delicately the sweet spirit of my friend, that I venture to follow the comparison a moment by referring to the almost poetical sentences of Mrs. Dana's *How to Know the Wild Flowers*. The lady said, "This small flower, which on its appearance in June rarely attracts attention, exposes in October, colors which no lover of wild flowers can fail to admire, the deep orange of the pod is the true complementary for the brilliant scarlet covering of the ripened seeds;" then continues Mrs. Dana, "No wayside flower touches with greater warmth the tumbling walls so picturesque along the way, and which, overgrown with wild creepers, do naturally for our quiet landscapes, that which in the old countries the vine-clad ruins accomplished." Like this exquisite flower, my friend was in youth modest, and grew more and more beautiful, as his hair whitened above a head in which there was no guile. Such was this genial gentlemen with whom for many years I had been in close contact. Thomas Steere was not of Rhode Island birth, but was from a

long line of Rhode Island ancestors; the first of whom came into this colony in 1660, before the advent of the charter of Charles the Second. He was bred to the law, and he loved it in the study, but not in the manner of a practitioner in the courts; he served the people in the Legislature, but being sent as Consul to represent the Government of the United States to Dundee, in Scotland, in 1854, he from that time practically abandoned the practice of the law. At the breaking out of the war of the rebellion in 1861, he joined the First Rhode Island Regiment as a Lieutenant; from the time of his return he gave the time to his legal profession, but more of it to writing for the newspapers; in 1873 he entered the service of the "Journal" as an editorial writer, which position he held until 1888; from that time he wrote occasionally for other newspapers, but he chiefly gave his closing years to the companionship of those books which he had loved so well. He died at Woonsocket in March of this year, his life covering almost fourscore years; it was upon a bleak and chilly day that my friend departed, a day most fitting for such a spirit to leave such an existence; that he entered quickly upon a happier existence I do not doubt, for he had exhausted the torments of the damned during the last years of his labors here.

The conviction by a jury of Mr. D. F. Lingane, the editor and manager of the *Telegram*, in a criminal action, is a matter of public congratulation. It has, with much effort, at last been shown that this Lingane is not stronger than the statutes, but in order to show this fact a special statute was enacted, and Mr. Lingane is thus a precedent for all time. In some of its aspects it has here happily no parallel. Mr. Lingane has here few friends; he has used the *Telegram* for the purpose of blistering the souls of many of the best men and women here in Providence. He well deserves all that he will get. The writer of BOOK NOTES tenders his personal thanks to Mr. Attorney General

Dubois, for the unflinching firmness with which he has served the public interest in this case. Coming from so insignificant a person, this may be but a small matter to the Attorney—but never mind—it is my privilege.

It has been the custom here for several years, whenever parties sought to obtain corporate advantages against the public, to induce the manager of the *Journal* to become a stockholder in such enterprises; it was so in Danielson's time, and so it possibly continues; thus the "public" newspaper is muzzled, or converted into an actual evangelist in the enterprises. Just now parties are obtaining a charter for a *Public Steam Plant* from the General Assembly. All that the public will have to do with the "Plant" is to plant down the money for the steam, give the corporation the use of the highways without compensation, and pay the

taxes assessed upon the "Plant"; all the principal business streets are to be again torn up, and the public will have the privilege of being retaxed to re-pave them. So wags the world. The *Journal*, in a three column laudation of the enterprise, says, "The object of those interested in the enterprise is *not* to make dividends." Perhaps it is some charitable undertaking, for Mr. Richard S. Howland is one of the corporators.

"Who dares think one thing and another tell, My heart detests him as the gates of hell."

The April *Philistine* is upon us with a motto on the cover to the effect that fools are more numerous than ever before. We understand that the *Philistine's* subscription list is growing. The "Side Talks," conducted by the East Aurora School of Philosophy, take up a little over one-half of the magazine. They are very full of pepper-sauce. The *Philistine* is small,—but, Oh, My!!

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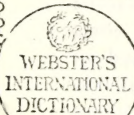
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VOL. 14.
No. 10.

The latest treatise on *Water and its Purification* is by Mr. Samuel Rideal, D. Sc. London, England. It is a Hand-book for the use of Local Authorities, Sanitary Officers, and others interested in Water Supply." This gentleman gives the latest results in all parts of the world in chemical and bacteriological analysis of water, all of which he has undertaken to make intelligible to the non-professional reader. He treats of the natural waters, and of the animal and vegetable impurities in different kinds of waters; of springs, wells and rivers; and of storage and filtration; and of the latter as purification on a large scale, and also of household filtration. Accounts are given of the works at Warsaw, at Hamburg, and at Lawrence; in all of which places "the death rate from zymotic diseases had been very markedly reduced." Zymotic diseases are those produced by some morbid action, like fermentation, acting noxiously on the human system, and producing contagious disease. The Morrison-Jewell Filter is described, and the experiments made here by Mr. Weston are carefully noted. Mr. Rideal says (p. 168), in speaking of the Morrison experiments here, "that the constant addition of chemicals to water may exercise injurious influence on the public health," and that "Mr. Weston found by the logwood test finely divided alumina in the filtered water." In one respect Mr. Rideal is a trifle previous. He says, (page 168,) "The rate of fil-

tration adopted at Providence is one hundred millions of gallons per acre per day, with a head of three and a half to six feet." Mr. Rideal probably means that the experiments here were based on these calculations, or that these calculations were deduced from the experiments. Mr. Rideal gives some remarkable results of the connections between typhoid and water which took place at the French barracks at Melun, on the Seine, near Paris. The deaths in 1889 from this disease had been 122; the Pasteur-Chamberland filter was introduced, and the death-rate fell at once to 15 in 1890, 6 in 1891, 2 in 1892, 7 in 1893, and 7 in 1894. Mr. Rideal says that "in 1888 typhoid bacilli were actually found by Prudden and Ernst in the domestic filters of houses in Providence, Rhode Island." Clearly enough, the sand filter is the best, and the city is then under nobody's thumb, but it is master of the situation. To the Municipal Government of Providence, will you filter the Pawtuxet water, or will you not?

The *Atlantic Medical Weekly* for 24 April, 1897, has a carefully written paper by Dr. Charles O'Leary, concerning his treatment of *Appendicitis*. Dr. O'Leary believes in the medical treatment rather than in the surgical treatment of the disease, and he presents the most cogent reasons for his belief, in the form of the death-rates by each of the two methods. The surgical craze on the part of

young medical men in regard to this disease is equalled only by the means taken to frighten the multitude in regard to Diphtheria. The writer is now gathering the various names by which the doctors have described Diphtheria; he has "run" the disease back 2300 years, and he has 103 different names. One of these names is *Quinsy*. Let me give you the origin of this name, whence it came, and how long it has been in coming: Quinsy, Quinsey, Quincy, Squincy, Squinancy, Esquinancie, Esquanche, Cynanche, Synanche. The name originated with the earliest Greek medical writers, and came down through the French, until the English corruptions began. Both "Appendicitis" and "Diphtheria" are new names for diseases as old as the hills. BOOK NOTES would print in letters of gold the closing paragraph of Dr. O'Leary's admirable paper: "I have never operated when I thought my operations would counteract the benign process of nature's laws; and when nature's laws could be trusted to effect the cure by those mysterious processes in her work that the bungling hand of man can never equal." Such are the words of a surgeon and a physician after many years study and, greater than study, of experience. Young men, for an inflammation of the vermiform appendix you put in the knife and cut out the inflammation. Do you for an inflammation of the bowels, put in the knife and cut out the bowels? "Gut the fellow," the *Journal* would probably say. Why not?

Early in June, 1896, the Chicago Bar Association gave a banquet of welcome to Mr. Associate Justice Brown of the United States Supreme Court. Judge Brown spoke as follows: "The gigantic trusts and other forms of financial combination are the cause of the discontent and uneasiness of the people. Trusts must go."

"The conditions of the last few years," said the speaker, "which have produced financial trusts and trade combinations are the one unfortunate result of the inventive genius and mercantile enterprise which have so signally marked our latter-day civilization.

That from this has grown a tendency to institute classes in this country setting one up against the other, embittering the poor against the rich, and antagonizing the rich against the poor, is undeniable. What the ultimate outcome of all this will be no one can now surely say. That it will not result in socialism I am as certain as I am that men will not willingly relapse from civilization into barbarism. That it will not result in the absorption of all the means of living by a few I am equally certain. But no man under our form of government, can be regarded as absolutely free who is not totally independent of all other men in the opportunity of making a living. Unfortunately, however, it has been true from all time and is now, that the majority of mankind is not so independent, but is dependent for the privilege of earning its sustenance on the assent or will of others.

"The only relief which appears to me for these conditions is in an absolute obedience of all, rich and poor alike, to the law of the land. That the feeling of social unrest which now prevails will ultimately find an equitable settlement I am certain. That the courts of this country will have the great part in this settlement I am equally certain. And that the reputation of these courts shall remain as untouched by suspicion in the future as they have been in the past must be the earnest wish of all people who love their country."

The *Journal* of the 15th ult. gives this from Montreal: "The Canadian Shovel Association has entered into an arrangement with the United States (Shovel) Manufacturers Combine (Trust), by which the latter, on payment of a yearly subsidy, will keep out of the Canadian market." Thus the Canadian Shovel Trust robs every tiller of the land in Canada, and the American Shovel Combine robs every American farmer. In the words of Justice Miller of the Supreme Court—alas, now dead—"this is none the less robbery because it is done under the forms of law." Is the God of Israel asleep?

It was in September last that a party of gentlemen, chiefly "Odd Fellows," composed of men from Providence and Boston and Worcester, went to Dallas, in Texas, to attend as delegates the Seventy-seventh annual Communication of the Sovereign Grand Lodge of that Order. One of the party, my clever friend, but very "Odd Fellow," Joseph E. C. Farnham, has written a little narrative of the journey out and back, and the same has printed in an exceedingly pretty book, entitled, "*Providence to Dallas; a Brief Trip to the Southwest*." Only a limited edition was issued, and the book is not for sale. The route was Providence to Niagara Falls, thence to St. Louis, thence to Hot Springs, thence to Dallas, and the return was the same. A week was spent most happily at Dallas; and Mr. Farnham has given us some clever insights into things of which he came in sight; one of these was a negro camp meeting, led by a muscular Christian, called "Sin Killer Griffin"; it *was* funny, but it *was* religion. Another thing which Mr. Farnham describes is the Cantalever bridge at Niagara, only he spells the word, "Cantalever." This kind of a bridge is in fact a construction which overhangs or projects beyond the supports upon which it rests; it is in fact supported by a certain kind of lever; then why spell it "lever"? Another locality which Mr. Farnham discovered was "Hell's Half Acre;" it was near Hot Springs; one would naturally look for it in some such locality. Whence came this name? I have looked in Milton, but failed to find it. It may possibly be found in Dante. This name has been given to desolate spots in many places; one is at Yellowstone Park; another in the town of Warren, I think, in Connecticut; we have in Rhode Island on the border line between Exeter and West Greenwich, a locality similarly named. Here the name arose from the terrible characters who dwelt in the immediate neighborhood; the fiends have departed from the place, but the scent of their "lilacs" hang round it still. Mr. Farnham's little book seems to have been written in the interest of some Railroad,

possibly the Illinois Central, for a New England agent of this road went with the party as far as St. Louis. It is profusely illustrated, having 76 illustrations, and only 143 pages, beautifully printed on plate paper, but with the letter-press in green ink, while the illustrations are in black. This makes the publication a costly one, but it is extremely well done, and done too, wholly here in Providence. Snow & Farnham printed the book, and H. M. Coombs & Co. were the binders of it.

Some of the best known and most respected citizens of Rhode Island, came to us educated in a small school in a town near by, but in a State adjoining, to wit, the Uxbridge (Mass.) Academy. These men, born in that neighborhood, grew to manhood there, were educated there, and then came here. Among these men were Royal C. Taft, who, after years given to an honorable business, was made Governor of the State,—a position which he honored, rather than which conferred honor upon him; then came also other members of the Taft family, to wit, James W. Taft, for many years and even now in the business of making woolen cloths, and another brother. These were bookish men. Emma Converse, once here a well-known teacher, was from this Uxbridge school; Charles C. Jewett, once Librarian of Brown University, came here out of this school; and so too with many other men and women. This school practically existed from 1820 to 1855. It was not in the proper meaning of the word, an "Academy"; it was more properly a good country school, taught by educated teachers, and this made it of the higher class. It ceased to exist about 1855.

This note was inspired by the publication of a little book entitled a *Brief History of the Uxbridge Academy*, by William A. Mowry, who came from good old Rhode Island stock, was exported, then imported, (but without drawback,) and at last became a Puritan. The book was written mainly for the purpose of giging a memoir of Dr. J. M. Macomber, who for nine years, 1841-1850,

was Preceptor, and who laid, in Mr. Mowry's head, the foundation of that practical knowledge of which he is so excellent an example. But there is one thing in his book of which I complain. In appendix B, he gives a list of the "Graduates of College from Uxbridge." In this list he places himself, but he, although born at Uxbridge, was never graduated—receiving an honorary degree; and he omits Royal C. Taft, just the same kind of "Graduate" as himself, but born at Northbridge. Both Gov. Taft and Mr. Mowry were the recipients of honorary degrees from Brown University.

The encroachments of landlords upon the public domain in undermining streets, and extending the second and all upper stories of buildings over the streets, has been met in Boston and in New York by laws prohibiting or limiting such encroachment. It is neither more nor less than stealing the public domain for the purpose of exacting rent from the real owners of the public domain for some landlord's enrichment. What right has the City Council to *present* to Joseph Banigan, or any other landlord, the right to excavate the earth under Westminster street, so that Banigan can exact rent from the citizens of Providence for the use of the space so acquired? The City Council has not the slightest legal right to do such a thing?

If I possess one inherent right greater than another, it is the right to select such assistance, in case I am sick, as will in my judgment, be of some benefit to me; whose business is it if I select Schrader, the "Divinely Gifted Healer"? I fail to observe the difference between faith in Schrader and faith in the brown-bread pills (or their equivalents), administered by some "regular" doctor. Can the legislature give authority to the State Board of Health to stop me?

Every man in the eyes of some other man, is a charlatan. The legislature undertakes to dub certain doctors, charlatans, and rule them out. Why not decide upon some form of religion and dub all other clergymen

charlatans? Such a rule applied to the Rhode Island Bar would bring the possibility of living by the intelligent and honest practice of the law again within reach.

The human body is an epitome in Nature of all mechanics, all hydraulics, all architecture, all machinery of every kind. There are more than three hundred and ten mechanical movements known to mechanics to-day, and all of these are but modifications of those found in the human body. Here are found all the bars, levers, joints, pulleys, pumps, pipes, wheels and axles, ball and socket movements, beams, girders, trusses, buffers, arches, columns, cables and supports known to science. At every point man's best mechanical work can be shown to be but adaptations of processes of the human body, a revelation of first principles used in Nature.—WILLIAM GEORGE JORDAN in March *Ladies Home Journal*.

The legal liability of bank directors for the loss of money kept on deposit in the bank, was suggested by BOOK NOTES, Vol. 7, p. 3. It was then scouted by certain of these gentlemen, but it has been affirmed by the courts of Michigan in March of this year, and a verdict recovered by the depositor. It was again affirmed by the courts in New York city, April 27, 1897, and a verdict was recovered by a depositor having \$410 on deposit, against two of the directors of the Madison Square Bank. The bank director is a trustee, and liable exactly the same as a trustee. Trustees must not use the moneys of the *cestui que trust* for their individual use or profit.

On the 23d of March last, Dr. Henry E. Turner of Newport read a paper before the Unity Club of that city, giving recollections of this beautiful city by the sea from 1800 to 1850, or as many recollections as he can recollect. The paper is now printed in a neat pamphlet, and sold at 25 cents each. For this amount the writer of this note will post copies to any part of this country.

THE BOOK NOTES.

PROVIDENCE, R. I., May 15, 1897.

In accordance with the better uses of the English language to-day, a writer would scarcely describe the act of a pickpocket as scientific. It might be skilfully or adroitly done, but not in accordance with the strict rules of any scientific law; on the contrary, it is an act in violation of all law, whether moral or political. Nor is the word any more correctly applicable to the construction of a "Protective" Tariff, which is simply a device to insidiously rob the whole mass of the people for the very great enrichment of those few men who procure the enactment of such an unnatural and wicked law.

The *Journal* of the 11th inst. has a very long editorial entitled, "*The Drift of Socialism.*" In speaking of the 6,500,000 men who cast votes for Mr. Bryan, the *Journal* said: "They wanted to introduce through the help of the national legislature a levelling process, which they fancied would leave them better off materially." Suppose, my

very venerable friend, you apply these words to Mr. Hanna's supporters; about how far would you go wrong? Is not the Aldrich-Dingley-Jones and the Devil's Tariff now being enacted a "levelling process"?

The first principle laid down in the constitution of Rhode Island is in these words: "The basis of our political system is the right of the people to make, and alter, their constitutions of government." One of the agents of the people, to wit, the General Assembly, assumes under the constitution to take away this constitutional, in fact, innate right, and put it into the hands of a partisan commission; excellent men, that is, some of them are, but they are doing a thing which the people of Rhode Island have reserved unto themselves the right to do.

The correspondent who asks for information concerning the *Latin Club* in Providence, is referred to a short paragraph in the M. and F. *Journal* of 3rd July, 1823. An invitation was given to the members to meet in their "Long Room" to make arrangements for the "celebration of American Independence."

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SACONET CORRUPTIONS.

The southeasternmost point of Rhode Island is a rocky mass extending into the Atlantic Ocean known by sundry names now best expressed by the word Saconet. Recent inquiry has induced the writer to print this note concerning the origin and evolution of the word. The earliest mention of it in colonial annals occurs in Plym. Col. Rec. V. 5, p. 216, where is recorded in 1661 the "purchase att Saconett." The next year, 1662, an Indian complained to the colonial government that Wamsitta had sold his (this Indian's) land at Saconett; later in the same year occurs another reference to the place, referring to "all those lands from Cape Codd to Saconett Point" (Plym. Col. Rec. v. 4, pp. 17-62.) This same spelling appears in the caption to an agreement between the colonial government and Awashonks, the famous Squaw Sachem made in 1671, (Mass. Hist. Col. 1st Ser. v. 5, p. 193, also Plym. Col. Rec. v. 5, p. .). Increase Mather wrote, in 1676, a History of the War with the Indians. In the edition of this work published in 1862, edited by S. G. Drake, the word is spelled Sakonet (p. 170); this same book at page 172, gives Cotton Mather's History of the same war, in which the word is rendered Saconet; the same form appears in Mather's Magnalia, folio, London, 1702, p. 53, seventh book. In 1677, Hubbard's Narrative of the Troubles with the Indians was

published in London; at pages 105, 106, is given this same form, Sakonet; an edition of Mr. Hubbard's Narrative was published at Boston in 1775, in which the word was corrupted to Seaconet. On the 6th June, 1682, the "inhabitants of Saconet" were incorporated—"shalbe a towneship" were the words of the law (Plym. Col. Rec. v. 6, p. 88.) This same form is found on a manuscript Chart now in the British Foreign Records Office, which chart was made in July, 1684. The History of Philip's War, by Capt. Church, was published in 1716; the name appeared in the book in this extraordinary form—Sogkonate,—and so it appears in all the editions of Capt. Church's book; it was the result of the general ignorance so prevalent at the beginning of the 18th century. The second edition, or rather the Newport edition of Capt. Church's book, published in 1772, has a Life of Capt. Church written by President Stiles, in which the name is given, Seconet. There was printed in the Mass. Hist. Coll. 3d ser. v. 6, p. 188, a narrative of the Indian and French wars, written by Mr. Niles, who died in 1762; he wrote the name, Saconet. On the Harris map of Rhode Island, 1795, the name is given, Seakonnet, and the same form is given on the Blaskowitz chart, London, 1777. Morse, in the American Gazetteer, 1804, says "Seconnet, or Seakonnet"; Pease in the Gazetteer of Rhode Island, 1819, page 356, says, "the Indian name was Seconnet;"

in this Gazetteer was inserted Lockwood's map of Rhode Island, on which the name is given Seakonnet. There is a paragraph about the Saugkonnet Indians in Mass. Hist. Coll. 1st Ser. v. 10, p. 114, written by some one probably concerned in the publication of the volume in 1809; in the very same paragraph the name is twice given, Saconet, cleverly showing the looseness of writers. The form, Sogkonate, used by Capt. Church, again appears in Mass. Hist. Coll. 1st ser., v. 9, p. 204, which was published in 1804. In the edition of Morton's N. E. Memorial, published in 1826, edited by Davis, there is printed (page 480,) a list of the original Corporations or Plantations in Plymouth Colony; Saconet is one of them. In this list Judge Davis states that this Saconet plantation was annexed to Rhode Island in 1741; this is an error; the decree of the King bears date 1746. Francis Baylies, writing his History of Plymouth Colony, 1830, uses the form Saconet,—book 1, p. 44, and again book 3, p. 3, and again book 4, p. 17. Mr. Baylies says, "the Indian name of Little Compton was Saconet"; in a foot note, book 4, p. 62, Mr. Baylies says, "Col. Church writes the name Sogkonate, which was probably conformable to the Indian pronunciation." S. G. Drake, a voluminous writer upon Indian matters, uses in his *Indian Biography*, 1832, the form, Sogkonates, (p. 341); in his *Old Indian Chronicle*, 1837, pages 73, 74, Seconets; in his *Book of the Indians*, 1841, book 3, p. 65, Sogkonate; in a foot note, same page, Mr. Drake says, "commonly called Seconet." In the Report of the U. S. Coast Survey for the year 1870, the name is three times written Saugkhonnet—a corruption original with the individual who wrote the Report; in this volume is the chart made by the Government Coast Survey, and first issued in 1873, the name is given, Sakonnet. The publishers of the Asher & Adams Atlas, 1872, followed the original corruption of the Report of the U. S. Coast Survey. Saugkhonnet—probably a joke of some boy in the Government em-

ploy. Gray's Atlas, 1878, gives "Sakonnet," or "Seakonnet," as the name of the "Point." The Rhode Island Manual, first issued in 1872-3, gave the name, Seakonnet, and so it still continues. The easternmost arm of Narraganset Bay upon the earliest maps, down to the Coast Survey chart of 1873, always appeared as the "East Passage"; on this Government chart this water was given the name Sakonnet River, and so, on all the later atlases it is as now appears. Concerning the meaning of the name nothing is known. Dr. Usher Parsons is the only person who has ever attempted to define the word; his definition is given in his "Indian Names of Places in Rhode Island," page 5, thus, "Sogkonate is compounded of *Seki*, "black," and *konk*, "goose," and the syllable *et* is a locative; thus *Seki-konk-et*, Seconknet, Seconet, equivalent to "black-goose-place." This definition is ridiculed by Dr. J. Hammond Trumbull, (see Church's *Phillips War*, edition of 1855, edited by H. M. Dexter, page 2); but Trumbull attempted no definition. I have stated above that Sakonnet River, on the Coast Survey chart, had always appeared under the name, East Passage, before the issue of that chart, but there is one exception; on the Blaskowitz chart of 1777, the name Seakonnet Passage was given to it.

There is a statute on the 1006th page of the General Laws of Rhode Island framed after this manner: "Every person who shall, directly or indirectly, set up, put forth, carry on, promote or draw, publicly or privately, any lottery chance, game or device of any nature or kind whatsoever, or by whatsoever name the same may be called, for the purpose of exposing, setting for sale or disposing of any money, houses, lands, merchandise, or articles of value *** purporting to be governed by the drawing of any public or private lottery ** shall be deemed guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or be fined not exceeding two thousand dollars." Now, my dear Mr. McGuinness, you are the exe-

cutive head of the city government; is it not your official duty to test the strength of this statute? or was it written there just for ornament, save only in special cases, against special men. Walk up Westminster street, my friend, and see the open breaches of this statute with your own eyes—and then consider the oath which you took, to be true in support of the laws of this State,—one of which says, “it shall be his (*your*) duty to be at all times vigilant and active in causing the laws to be executed and enforced.” These lotteries are just as much crimes under the laws as is stealing, or setting houses on fire, and far worse in their corruptive power.

The *Atlantic* for June has a paper written by Prof B. I. Wheeler, who has recently returned from a short visit to Greece. Prof. Wheeler attempts “an explanation of the historical significance of the Græco-Turkish conflict, and of the position of the great European powers.” But Mr. Wheeler has failed to exhibit in a proper light how the possession of vast amounts of Turkish bonds has rendered the moral vision of the English government oblique. The whole historical significance, so far as the English government is concerned, lies in the corroding love of gold.

Some of the most delightful papers which have appeared in an American magazine for a long time have been Col. T. W. Higginson's reminiscences in the *Atlantic Monthly*. The closing installment in the June *Atlantic* brings them down to the stirring times of the Civil War, and illustrates anew the wonderful activity and variety of Colonel Higginson's life as a poet, statesman and soldier.

The following table was compiled from the original voting lists after the purgation of 1895. These votes were cast in a city election while George West and his brother Ambrose E. West, were both living, and in active control of the politics of Ward 10. Under such elections as this, Ambrose E. West found himself Alderman in 1889, 1891, 1892, and in the Council in 1888. It is

placed here simply for historical preservation. It shows how certain political elements have forced themselves into the municipal government only to corrupt it, or to use it for mercenary ends in case a man was so disposed. As Mr. Arnold Green well said: “If civil government as we have seen it for the last four generations shall continue, representative government must cease.”

| Wards. | Total votes. | Fraudulent property votes. | Total frauds. | Per cent. frauds. |
|--------|--------------|----------------------------|---------------|-------------------|
| 1 | 2330 | 144 | 192 | .08 |
| 2 | 2618 | 11 | 102 | .04 |
| 3 | 2964 | 244 | 438 | .15 |
| 4 | 1693 | 111 | 163 | .10 |
| 5 | 2245 | 9 | 132 | .06 |
| 6 | 2409 | 44 | 154 | .06 |
| 7 | 2368 | 43 | 35 | .01 |
| 8 | 2259 | 82 | 152 | .07 |
| 9 | 2299 | 170 | 230 | .10 |
| 10 | 3539 | 623 | 670 | .19 |

This expose was the result of the earliest work of the Board of Registration; and for it BOOK NOTES has only words of commendation. The total vote of Providence on that day was 24,723, of which number 2268 were fraudulent.

Those who defend the inordinate novel reading, which the modern public library has done so much to develop and to foster—85 per cent. of all the reading here in Rhode Island,—are requested to gaze for a moment upon *Willis*, the bicycle murderer fiend of Taunton, and upon *Kelley*, the murderer of Stickney, both very young men, under 22 years, and both nurtured upon modern novels. The modern criminal annals are full of such records.

But one of the nastiest, meanest things ever done, is to write an utterly immoral, filthy novel, and affix the names of virtuous men and women, dwelling in the locality covered by the story, to characters in the story who are simply vile. This has been done in this locality, and the miserable tale has passed through nearly fifty editions.

Somebody in Boston, acting under the name New England Watch and Ward Society, a device devised for the purpose of hiding identity, sends to me the statute enacted by the General Assembly of Rhode Island recently, providing punishment for those who "prints printed paper, or other thing, containing obscene, indecent, or impure language," and it "warns those who violate this law that they do it at their own risk." These people offer me insult. I am here a bookseller, with fifty years of service. I need no admonition from anybody in Boston upon questions of morals, or the lack of morals; and I know as much about the laws of Rhode Island as any man in Boston; and I also know sufficiently concerning my personal liability under our laws. So far as obscene literature is concerned, no city in this country is cleaner than is this city. Let these Boston people turn their attention to their vicinity; it is simply rotten in morals. "First cast the beam out of thine own eye," then turn to us; turn your attention from the questionable morality of books to the unquestionable immorality of bicycles and try to accomplish something. The cleaning of Boston from the vices of immorality every day enacted there, would be a labor compared to which the cleaning of the stables of Augeas would be but a prelude.

The following clipping is from the *Springfield Republican*, 7th May, 1897:

"Bishop Potter indicts both machinery and the capitalists as causing the ill-feeling and uneasiness among the laboring classes. Machinery is turning the workman into an idiot; and, after picturing graphically the work he saw a young man performing at a factory, the Bishop said: 'No wonder that at night-time he drank, gambled and fought. He had to; otherwise he would go mad. How many of us would stand this and not cry out? Not one of us but would become a striker. Myself among the first!' As for the employer, he looks down upon his men." "He treats them as if they had no souls."

He is constantly looking for new inventions which will save money and throw more men out of work. "The laboring men must make the capitalist respect their rights. Let them stand on their feet and use their voices." Thus spake Bishop Potter Monday evening, and thus he concluded:—

This association (the church association for the advancement of the interest of labor) is looked upon as a dangerous and revolutionary one, because it tends to unite the church with the laboring man in his great struggle. Say what they will against it, but I for one announce that from to-day on the church of God is with the laborer.

That is good,—that is coming back to the gospel as Jesus preached it. Jesus was with the laborer every time. Let us hope that the professed churches of God will come up to this bishop's standard, and that, too, right speedily. From the point of view taken by the plutocratic civilization of the day, and expressed by almost every New York newspaper, and by too many others, however, Bishop Potter must now be reckoned a dangerous man and a "reckless agitator." He is almost an "anarchist." But how precious are such men as Bishop Potter!"

The *Providence Journal*, in an editorial on Socialism, alluded to Bishop Potter's address, but completely excluded any reference to that which the Bishop said. Here, as in all similar questions, the *Journal* is entirely consistent; it was founded upon a false principle, to wit, that the robbing of a laborer by law of the fruits of his labor, was in fact, "protecting" the laborer. So here when Bishop Potter lays open the hideous swindle, the *Journal*, instead of assaulting the swindle, assaults Bishop Potter. Of course, Bishop Potter will regret his action,—just as Martin Luther, and John Knox, and John Brown, and William Lloyd Garrison, now regret their actions. This paper is now, and has always been, the supporter of all corporate greed; more especially that in which its owners were interested. It would

"Destroy all laborers for its sport or gust,

Yet say, If man is unhappy—God is unjust."

Book Notes, by Sidney S. Rider, is one of the bravest little papers we have the privilege of reading. What it says about the intrusion of landlords on the streets should be heeded. Also the giving of discounts to large users of water, who charge the same to tenants and thus doubly rob the people.—*The Pointer*, 22d May.

BOOK NOTES thanks the *Pointer*, whose editor touches with the tips of his pens the core of his conscience. But just look one moment at the action of the city government. It makes an ordinance positively enabling one man to levy a tax, or a profit, upon a poorer man for water, the city government having *first* taxed the poor devil for the same.

There is just now a number of men in this country who apparently believe that unless they get possession of all the dollars, or a large slice of every dollar, earned by the laborer, the whole social fabric will go to destruction—and they scream, and they set the daily newspapers a screaming, about the sacredness of private property. Well, after I have worked a week and earned a clean half a dollar, is it not as sacred as Mr. J. Banigan's million, scooped in through the Rubber Trust. Justice is what we want—not charity.

The most ridiculous spurt of decency imaginable is just now being exhibited here in Providence. The huge bill-boards are covered with great, colored pictures of women, as nearly naked as it is possible to get them, life-size, with the most salient parts covered with patches of white paper. This is "fig-leaf" chastity applied to women. It is a huge advertisement of the very things which the projectors of it pretended to wish to hide.

The bicycle nuisance is well nigh intolerable. A man takes his life, and ought to take his limbs, in his hands, whenever he goes upon the streets; and if one half the stories are true which now fill our ears, concerning the frightful immoralities engendered by this pastime, we may well be staggered; the "road houses" in every direction on the outskirts of the town are said to be filled every night to overflowing. Talk about the evil influences of "obscene" books—why, they were immaculate purity in comparison. Then suppose one is injured, who pays you? nobody—few of these riders have any pecuniary backing whatever—"owning" even the wheels on the "installment" system of ownership.

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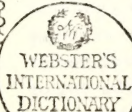
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For years beyond our ken,

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Along the paths of men.

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SATURDAY, June 12, 1897.

VOL. 14.
No. 12.

Let all the ends thou aim'st at be thy
Country's, thy God's and Truth's.

It was the last morning in May, 1897; a group of friends were gathered upon the lawn in front of an ideal country home, which stands on the Bailey Brook Farm in the northwesterly corner of the town of East Greenwich. It was Decoration Day. The graves of two soldiers, who had fought the battles of freedom in the war of the Rebellion, were being decorated, or reconsecrated, with flags and flowers. Upon a hill-top just east of the house, and quite within sight, is the Family lot, and here have been gathered, one by one, the departing members in a long line of ancestors; for here for two centuries have dwelt and died the Bailey's, who were the ancestors in part of these who now dwell upon the farm. In this hallowed spot the earth bore marks of fresh disturbance; all that was mortal of those who had in this life been deeply beloved, had not long since been laid beneath it; and loving hands had strewn the sacred places with flowers. Emblems of the Faith, wrought with evergreens, were laid here and there, and unconventional bouquets, fashioned from the wild flowers which grew all about, were left reposing upon the bosom of the earth. The wild Lupine, so graceful in the field; the beautiful American orchid, *Arethusa*, which grew so luxuriantly so near; the wild *Viburnum*, so fragrant and so beautiful; the white

Hellebore, which some call Indian Poke; and the whole gathered together with fern leaves, with here and there a fine Iris, to give effect to the whole. Nature might well rejoice in such a scene; how could the heart of man be still?

In this family burying ground were buried two men, father and son, who went forth to fight the battle for freedom in the war of the rebellion. It was the graves of those two men which their still living comrades had come to mark. It was a touching sight. There came a detachment of the Kentish Guards from the neighboring village, as a Guard of Honor to a couple—only two—of the comrades of the dead who came to put flags and flowers upon the old graves. Smaller and smaller, year by year, these groups of Grand Army men grow, and their sons, and their sons' sons, will soon do for them this office. The line was quickly formed, and the detachment marched to the hill-top, the regimental band meanwhile playing a slow and solemn music. The soldiers came to a halt, the ensign unfurled the flag of the regiment; the officer commanding discharged his piece over each mound; the detachment discharged volleys of arms, reformed, and returned to their wagons. The gentlemen of the group on the lawn by the cottage raised their hats, and the ladies courtesied; the officers and men saluted us, and went away upon their sacred errand, the marking of the last resting places of

dead heroes ; and the volleys grew more and more distant until at last they were lost in the distance.

Duke et decorum est pro patria mori.

That delightful quiet which for the moment had been disturbed, fell again upon the lawn, and we sat in silence absorbing the meaning of the scene. Horace was right, it is indeed true :

Sweet and glorious it is to die for one's country.

Year after year for now well nigh a quarter of a century, these living comrades in arms have come to mark the resting places of their departed companions. The places to be marked increase in number year by year, while the markers grow fewer and fewer. Soon all will be gone, for the earth shall soon hold all those defenders of the Republic.

They fought the same good fight together; shoulder to shoulder they bore this same flag of the Union to the very front of battles; and to-day freedom revels in freedom all this broad land over. To-night these little flags are waving in the breeze all over the lands of Rhode Island, for when the troubles came men rushed to battle from every nook and corner of the State; men from the hills at Niswosaket marched side by side with men from the shores at Nyanticot; and now in these grounds lie the vast majority of those who came back—alas, all came not back. The spirit of patriotism then animated every breast, and it is this same spirit which these little flags are now fanning into life; it was the seed of patriots which they planted here, and when the day comes that the Republic needs new defenders, every seed will bear fruit, and these hill-tops will teem with soldiers, every one “bearing a flag and keeping step to the music of the Union.” If the spirits of the beloved departed can participate in the concerns and trials of those who were dear to them in this transitory life, why may I not believe that the spirits of those who now rest within the bosom of this hill still revisit the scenes which they loved so well, to keep watch, to suggest, or to

comfort, those who are still encumbered by the cares of life. It was Emmet whose words are here almost verbatim quoted, who thus invoked the spirit of the dead; “O, ever dear and venerated shade of our departed father, look down with scrutiny upon the conduct of those left here behind you, and see if even for a moment we have departed from the principles of virtue which it was your care to instil into our youthful minds.” Farewell.

There is in the June *Century* a very short, but very fine paper upon Queen Victoria, written by Thomas F. Bayard. Like almost everything written by this man, the paper is well set forth; but there is one paragraph in it to which I wish especially to call the attention of Rhode Islanders. It is this: “In this sixtieth year of Victoria, *religious liberty* and toleration are absolute; the rolls of the public service contain no sectarian proscription or exclusion.” It is to the everlasting honor of Rhode Island that this principle of religious liberty went into England first from this colony. The proof lies in the words of the King, Charles the Second, in the Declaration from Breda, April 4, 1660, to wit: “We do declare a liberty to tender consciences, and that no man shall be disturbed or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of Parliament.” (*Gardiner's Constitutional Documents*, p. 351.) Every principle here enunciated by the King had been planted here in Rhode Island from 1636, the time of the “Planting,” set forth in almost the very language that he used, and maintained even to this day.

The venerable editor of BOOK NOTES has known Senator Aldrich ever since he chased a runaway groceryman from Phenix to New Orleans, caught him and recovered the plunder. From that day on we have known the Senator as a man of push, energy, and inven-

tive genius,—but we have never supposed that our excellent friend had the skill, courage and desire to become an exploder of “Protectionist Delusions”; yet this is just what the Boston *Herald* says that he is,—because he has found it necessary to abandon his old doctrine that it was the foreigner who paid the customs taxes,—but it isn't, all the same; we pay these taxes, and the Senator has found it self-stultification to any longer deny it. That is the entire scope of his discovery,—he has turned upon one of his quondam friends, whom he can no longer use in deluding men.

The city government found a way by which the gambling business of Dick Eddy and Steve Briggs, and Charley Anderson, and the two, *id genus omne*, 76 and 112 Dorrance street, were forced into seclusion; while the Lottery businesses carried on by the Callendar, McCausland and Troupe Company, and the John Shepard, and the O'Gorman, are openly prosecuted; Mr. Jack Shepard is just as liable, and under the same statute, as is Charlie Anderson, for BOOK NOTES has carefully examined the Statute, and cannot discover that either John Shepard or O'Gorman, or the Callendar Company, are exempt from obedience to it. Why punish Charlie Anderson and let Jack Shepard go scot free? Is it right in the administration of the law, my dear Mr. McGuinness, to make of one, flesh, and another, fowl?

Prof. E. Levasseur, a French Mechanical Scientist, has recently been in this country studying the mechanical processes which dominate economic conditions here, in such a way and with such force as exists nowhere else in the world. The result of his investigations is told in a publication of the American Academy of Political and Social Science, (No. 193,) which is sold for 25 cents. The learned author pays a deserved tribute to the inventive genius of our people as attested by the Patent Office returns, and records his own observations of the remarkable fashion in which mechanical processes have perme-

ated into the every-day life of our people. Such a large use of machinery involves an intensity of labor unknown upon the European continent, as his evidence amply demonstrates. It brings with it a concentration of industry peculiar to the United States.

“The Philistine” for June has eleven short articles besides the “Side Talks with Girls—and Others. There is thought and feeling and good humor on every page. But if a man is afraid of plain writing and high thinking, he had better let the little “Phil” alone.

Ruth Ashmore has a paper in the Ladies' *Home Journal* on the “Rights of a Young Wife.” In it she says: “When the wife can make her husband's home-coming a joy, his home-staying a pleasure and a delight, and his leaving home a sorrow, then, and then only, can she expect a great deal from him.”

Now, Ruth, I've had some experience, and it is my opinion that a young husband can bring more misery to a young wife than she can ever hope to survive. The two must pull together, or it will be up-hill work. Touch up the young husband a bit, Ruth. Tell him to try to make his young wife's home happy.

HOUSE AND HOME.

NIXON WATERMAN.

A house is built of bricks, stones, sills and posts and piers,

A home is built of loving deeds that stand a thousand years.

A house, though but an humble cot, within its walls may hold

A home of priceless beauty, rich in Love's eternal gold.

The men of earth build houses—with chambers, roofs and domes,—

But the women of the earth—God knows!—the women build the homes.

Ever could not stray from Paradise, for, oh, no matter where

Her gracious presence lit the way, lo! Paradise was there.

The Monthly *Review of Reviews* covers a field covered by no other periodical in this country. It is admirable. The question of taxing those of us who use sugar, by means of a tariff, is broadly discussed; here is one sentence: "The great sugar-refining interest desires a low tariff on raw sugar, with a good deal of protection on the refined article. This would enrich the Sugar Trust, which controls prices throughout America; but it would not aid in the rapid development of sugar-beet growing in the United States."

Certain men in Newport have conceived a scheme of seizing the burial ground of Governor Benedict Arnold and of his family and appropriating it to private uses. The graves have been obliterated, and the fine head-stones with the Arms of the Family buried from sight. Will no Arnold interfere to stop this disgraceful robbery, or has patriotic spirits left the island? No man living or dead can give any other man the shadow of a title to these graves. As a citizen, I protest. Where is the Newport Historical Society?

The present condition of the book trade is well shown by an advertisement of a Boston book-selling firm, who offer a \$75 book for \$39, and give the buyer "an *Atlas*, issued by subscription at from \$20 to \$40," as a premium. The book is the *Encyclopedia Britannica*, the *Atlas* is the Rand & McNally Company, Indexed Folio; and the firm is Estes & Lauriat. There must be money in a business giving a \$40 premium on a \$39 sale. Is it the result of the McKinley boom which Mr. Estes so vigorously advocated?

In this connection another illustration occurs to us; this same firm published an edition of Bulwer's novels,—an *édition de luxe*, as such ventures are euphemistically called,—"limited" in number (as what is not) and "restricted" in the sale to subscribers. One of those misguided individuals, who was so "fortunate" as to secure a set (of which twenty other editions were, or

had been, upon the market) at the subscription price, \$80, subsequently needed the money which the book had cost; failing to sell, the victim at last sold the set to its own publishers for \$15.

At this time another similar scheme is being worked here; this time it is Balzac's novels, and the astounding price, \$200 is asked for the set, "limited," of course, to "subscribers." Roberts Brothers are the publishers. It is practically a re-issue from the old plates of the 40 volumes which this firm long since published, and which book-sellers were often obliged to sell for a dollar per volume. This re-issue is illustrated by a lot of photo-engraving-gravures, which are not engravings at all, but which are the cheapest possible form of illustration; if there are 280 of these illustrations, and they are worth six cents each, it might add some \$16 or \$17 to the cost of the set. The paper upon which the book is printed is said to be better than that in the old book, but its quality cannot offset the superior impressions of the new types used in the *first* editions. The broad white margins of the book are the only "margins" which the subscribers will ever see.

Two persons have been sent here within a fortnight to pick up stool-pigeons for this Balzac, and Roberts Brothers had the cool audacity to send a letter to me, by one of them, asking me to give the bearer such knowledge as I had of good book buyers here. From one of the persons making solicitations for subscribers I get still another instance of the "margins" for subscribers in these *Editiones de Luxe* schemes. A publisher of a \$400 "limited," bought back from one of his victims, the "nugget," for \$25; and this was told me with perfect *sang froid*, by a woman then soliciting men to "go into" just such a scheme. In the light of such things there is no sounding the depths of mercantile morals, for there are no mercantile morals.

The greatest political success of the Anti-slavery men was the defeat of the candidate Fremont, and the election of James Buchanan in 1856, followed in two weeks from the seating of Buchanan by the remanding into slavery of the negro Dred Scott. History repeats its own operations; these back-handed licks are positively fatal. The election of McKinley, and Mr. Aldrich's Tariff, will do more for "currency reform" and the "revival of business," and for the freedom of the white slaves of the North, than would have been otherwise accomplished in half a century—but not in the way that these men planned. Man proposes, but God disposes.

Mr. J. T. O'Sullivan, stigmatized by the *Journal* as "the friend of William Jennings Bryan," gets an eighteen months sentence on a charge of libel. Mr. O'Sullivan is the editor of the Lawrence (Mass.) *Sentinel*; he was convicted of a criminal libel on certain city officers. Two verdicts against the editor of the Providence *Journal* have been given by two juries, one for \$2,500, the other for \$7,500,—but the editor of the *Journal* is still at large. The editor of the *Telegram*

(Mr. Lingane) is also at large, although convicted of a criminal assault; and upon a criminal libel against Mr. Engineer Gray, even a trial could never be reached. Is the law as administered a remedy for wrongs, or is it used as an engine to assist criminals,—provided they have money?

The *Journal* of the 8th June has an editorial entitled the "Bicycle as an Educator." By the way, the *Journal* takes advertisements from bicycle dealers. The article begins: "Any one who reflects a moment will realize perhaps for the first time how great an educating influence the bicycle is in Rhode Island; scarcely a road from one end of the State to the other is unexplored." It is strange how the omission of a word changes the meaning of a sentence. It may have been a typographical error,—but the word "house" should have been attached to the word "road." The education, which is beyond question, is being acquired at the rural "road-houses."

If Senator Aldrich only knew how anxious we all are for his recovery he wouldn't be sick just now. At least not until the tariff bill has passed.—*Pascoag Herald*.

Well, there will be sickness enough then, and don't you forget it.

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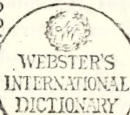
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SATURDAY, June 26, 1897.

VOL. 14
No. 13.

A study in History was made recently by Mr. Brooks Adams, of Quincy, Mass., and published in London, under the title, *The Law of Civilization and Decay*. From this book at pages 288-292, the following extracts are taken. They relate to the effect of monometalism upon the masses of toiling men. The author, Brooks Adams, is a lawyer, a son of Charles Francis Adams, who was a son of John Quincy Adams, who was a son of John Adams. He is neither an Anarchist, nor a Communist, nor a Populist, nor a Royalist, nor a Journalist, but he is that which Thurlow politely informed the Duke of Grafton that he (Thurlow) was—a man.

"The Tudor aristocracy which sprang up at the Reformation * * represented sharpening economic competition, and they prospered because of an intellectual gift, an aptitude they enjoyed of *absorbing the lands* of the priests and soldiers amidst whom they dwelt. These soldiers were the yeomen who, when evicted, became pirates, slavers, commercial adventurers, religious colonists, and conquerors, who together poured the flood of treasure into London, which transmuted into movement made the "industrial revolution"; * * vast reservoirs of energy in the shape of money had accumulated; a new race rose to prominence fitted to give vent to this force, men like Nathan Rothschild and Samuel Loyd. These bankers conceived a policy unrivalled in brilliancy, which made

them masters of all commerce, industry and trade. They engrossed the gold of the world, and then by legislation made gold the sole measure of values. What Loyd and his followers did to England in 1847 became possible for his successors to do to all the gold standard nations after 1873. When the mints had been closed to silver, the currency being inelastic, the value of money could be manipulated like that of any article limited in quantity, and thus the human race became the subjects of the new aristocracy which represented the stored energy (gold) of mankind. From the moment this aristocracy has determined on a policy, as, for example of the Bank act, or monometalism, resistance by producers becomes most difficult. Being debtors, producers are destroyed when credit is withdrawn, and at the first signs of insubordination the bankers draw in their gold, contract their loans, and precipitate a panic, then to escape immediate ruin, the debtor yields. Since 1873, prices have generally fallen, and the mortgage has tended to engulf the pledge; but from time to time the creditor class feels the need of turning the property it has acquired from bankrupts (ruined by the shrinkage of prices) into gold, and thus the rise explained by Overstone takes place; the hoards are opened, credit is freely given, the quantity of currency is increased, values rise, sales are made, and new adventurers contract fresh obligations; then this expansion is followed by a fresh contraction,

and liquidation is repeated on an ever descending scale. Farming land has fallen throughout the West as it fell in Italy in the time of Pliny. Everywhere, as under Trojan, the peasantry are distressed; everywhere they migrate to the cities as they did when Rome repudiated the denarius; such economic signs point to the climax of consolidation. * * Although the volume of credit is gigantic, the basis on which it rests (gold) is so narrow that it may be manipulated by a handful of men. * * The aristocracy which wields this autocratic power is beyond attack, for it is defended by a wage-earning police, by the side of which the Roman legions were a toy,—a police so formidable that, for the first time in history, revolt is hopeless, and is not attempted. The only question which preoccupies the ruling class is whether it is cheaper to coerce or to bribe. The name "Loyd" and "Overstone" above are the same person. Samuel J. Loyd was a son of a dissenting clergyman of Wales, born in 1796, died in 1883. His personal estate was sworn to at £2,100,000. He was the author of the celebrated Treatise on Financial subjects, now so costly.

The *Journal* of 14th June, 1897, has this editorial paragraph: "Inside the next ten years," says a Liberal member of Parliament now in New York, "this country will see the most awful revolution that has astounded the world of late." Then says the editor of the *Journal*: "This is putting the case pretty strongly, but there are undeniably some reasons for taking some such view; and prejudiced foreigners are not the only ones who see them." A New York newspaper gives the name, W. Pritchard Morgan as being that of this English Liberal.

The *Journal* announced that the Fletcher Company (meaning thereby the English syndicate which owns the Olneyville Fletcher mills) had brought into the country one million pounds of wool under the present tariff, free. Congress by law adds \$110,000 to this wool. Fletcher and his English stockholders,

by a tariff on this wool, are enabled to collect from the American people this money for themselves; those Englishmen are richer, we are poorer; who is "protected." What is to prevent a constant repetition of such legislation? How long will the people submit to be thus robbed? Is it for such laws that the American people created Congress?

The reference recently in BOOK NOTES to the New England Watch and Ward Society of Boston, led the officers of the Society to send us the Society's 19th annual report. The writer of this note is not now, nor as he ever knowingly been, a promoter of vice; the proof lies in the volumes of BOOK NOTES which he will leave behind him; but there are things in this report to which he objects on moral grounds, and this is one of them: On page 12 it is stated, "that at a low estimate two hundred thousand women in these United States are leading immoral lives,"—by which is meant that these women are prostitutes. On page 13 it is stated, "that for every abandoned woman there are at least five equally criminal men their companions in guilt,"—which means that these men are male prostitutes. The result of the Society's work in this quarter appears on page 18. "Nineteen persons have been convicted, either as keepers, or as inmates of disorderly houses." Not one of this infinitesimal number is stated to have been a male, all were women. Are the laws of Massachusetts directed specifically against women, or under these laws are male prostitutes specifically exempt?

It is stated on page 14, concerning gambling, "In our opinion, there is neither a faro bank, a roulette game, a lottery office, nor a pool room in this city;" that is, in Boston. On page 15 it is written, "gambling is substantially suppressed in this city, and as we trust never to be revived." Of course, these excellent gentlemen cannot expect anybody to believe such a statement.

On page 7 it is written, "many of the worst books which were formerly for sale everywhere, are now nowhere to be found; this is true not only in Boston, but throughout New

England, *except in Rhode Island.*" On page 20 it is written,—“the number of immoral books, pictures, cards, &c., seized and destroyed was 7045.” None of these beastly things could have come from Rhode Island, for the Society says it could not act here for lack of a statute. Since they were “nowhere to be found in New England except in Rhode Island,” BOOK NOTES is naturally curious to know where they were secured. It is of no use to ask BOOK NOTES to sustain such work,—it never will.

There was published at Hartford, Conn., in 1820, a Tract with the following title: “Mystery Developed, or Russell Colvin, supposed to be murdered, in full life; and Stephen and Jesse Boorn, his convicted murderers, rescued from an ignominious death by wonderful discoveries.” The Tract contains (I) A narrative of the whole transaction; (II) A sermon on the remarkable interposition of Divine Providence in the deliverance of Stephen and Jesse Boorn, who had been under sentence of death; (III) A succinct account of the indictment, trial, and conviction of Stephen and Jesse Boorn. This extraordinary affair ran something like this: The two Boorns were arrested on a charge of having murdered Russell Colvin, at Manchester, Vt., and indictments were found. Colvin was a brother-in-law of these Boorns. The men were tried and both convicted. Stephen principally on the evidence of his brother Jesse, in which Jesse admitted the murder, and the method of it, but the body of Colvin could never be found. The date of the murder as fixed by the indictment was 10th May, 1812. A person named Chadwick, living at Shrewsbury, N. J., had a relative living in Dover, N. J., named Polhamus; Chadwick saw an account of the trial of the Boorns for the murder of Colvin, and knew that there lived with Polhamus a man named Russell Colvin; and that this man had there lived since April, 1813. It was six years later when the indictment was found, to wit, in November, 1819, both men were tried, both admitted the murder,

Stephen confessed to having buried Colvin, both were convicted, and both sentenced to be hanged on the 28th January, 1820. To make a long story short, Colvin was taken to Manchester, Vermont, where he arrived on the 22d December, 1819, and was shown to the county court, which “being then in session were filled with astonishment and surprise, and suspended business for some hours to gaze upon one who in a sense had been dead and is alive again.” This extraordinary trial coming to the knowledge of Mr. Wilkie Collins, it was made by him the ground plan of his novel, *The Dead Alice*. A copy of this rare, curious, and interesting little Tract is for sale at 61 Snow street.

The *Telegram* of 10th June has an article with the heading *West Estate Fight*, from which BOOK NOTES clips this paragraph:

“Both men were more or less engaged in local political agitations, Ambrose particularly of late years manifesting a dominating fondness for political work. The two organized the West machine in the Tenth ward, and since then that ward has been practically identified with West interests and is to-day. The machine has been responsible for some handsome democratic victories within the past few years.”

“Both men” above, refers to the late brothers, George T. West and Ambrose West. This paragraph is a fine illustration of the table of Fraudulent votes cast in this city under the regime of those men, and printed in BOOK NOTES 29th May last. Nineteen per cent. of the votes cast in the Tenth ward were fraudulent.

A year or two since the *Telegram* announced, *exclusively*, a gift of half a million dollars to Brown University; the gift did not materialize. Yesterday the *Telegram* did the same thing; it announced a gift of a million dollars to the same institution, but it did not come. By-and-by people will come to understand the exact value of a statement made by the *Telegram*.

The *Century* for April, 1893, contained a paper written by Judge Gary, of the Illinois Supreme Court, in which this judge, without saying so, undertook to vindicate his action in the trial of the anarchists. BOOK NOTES severely condemned the action of Judge Gary in those trials, and now his brethren upon the bench have much more severely condemned him :

SPRINGFIELD, Ill., June 16, 1897. An unusual incident occurred in the Supreme Court, when appellate judges were assigned. Judge Gary, famous for having presided at the Anarchist trials, was not assigned.

Justice Magruder protested in the following strong language : "The distinguished services of Mr. Justice Gary, for nearly 34 years deserved a more fitting recognition. Wherever modern civilization has extended its light and its blessings, his name stands as a synonym for law and order. With his life in hand he has stayed and suppressed the onsets of lawlessness and disorder, and I enter my solemn protest against the slight thus put upon this just and fearless judge.

Chief Justice Phillips in his reply said : "With the fullest recognition of these qualities, the majority of this court reserves to itself the right to discharge the duty of selecting other judges for that place equally learned, industrious and able, who can and will, with equal earnestness and as high sense of justice, discharge these duties."

Messrs. Dart & Bigelow, who published a short time since a very pretty memorial of Providence in the form of Heliographic pictures, have just ready a companion, about Pawtucket and the neighboring villages. Like its predecessor, it is an oblong quarto, provided a quarto can be oblong, and has upwards of fifty plates ; it is a delightful means to those here of preserving a present pleasant memory ; how much more delightful it must be to the sons and daughters from this valley of the Blackstone, who have gone forth over this broad land to plant in the wildernesses the seeds of this land of steady

habits. The price of this pretty volume is one dollar, and copies will be sent by post anywhere without additional cost.

The Providence House Directory and Family Address Book for 1897 is just ready, by Messrs. Sampson, Murdock & Co. It is a veritable Blue Book, being printed on blue paper, bound in ultramarine blue cloth, and an elegant edition has been prepared especially for home use. Under the large experience and indefatigable care of Mr. DeWitt C. White, this book has become an almost indispensable requisite to business men, and an almost daily convenience to every house-keeper.

The writer of BOOK NOTES received a day or two since, the following anonymous postal card : "Pawtucket, Saturday, June 19. Mr. Rider. Kindly return my unused stamp and oblige. Respectfully." No signature. At first we could not understand it, but at last we remembered. A week or two since we received a letter from Pawtucket, asking for historical references to matters which the writer of the letter thought might have transpired at Pawtucket. To answer this letter requires the use of study which I have spent a lifetime in pursuing, and, moreover, hours of fresh labor in searching for accurate present references. I am not called upon to do such work for people having no claims upon me for such service. It is a downright imposition to ask me to do it. Yet this was just such a case. The writer of that letter had taken special pains never to assist me in former years. Now he has the cheek to ask me to waste a two cent stamp in returning the one which he sent to me.

Intelligence is the new name under which Vol. 6 of the *Metaphysical Magazine* will hereafter be known,—and the price has been reduced from \$2.50 to \$1.00, or from 25 cents to 10 cents per number. It is a magazine of Occult and Philosophical Literature, the like of which has never before been seen in this country.

That was a very wise resolution adopted by the Home Market club in Boston on Wednesday, beginning "Resolved, that in our opinion business awaits the Tariff." That is, those who need new clothing now are waiting for this new tariff to double the prices for clothing before buying. It must be so; being able to buy *now* a pair of breeches for \$2, we are waiting for this tariff to raise the price to \$4, *then* we buy, do we?

The *New York Journal* of June 10th published editorially a weather prediction by a certain Mr. De Voe, announcing "exclusively" that of the remaining three weeks in June, but *three days* would be fair. So far the result has been that *not an entire unfair* day has followed, and it is now the 24th.

The Boston *Herald*, in a recent issue, mentions a decision of a Boston court relieving the city of Boston from carrying out the terms of a contract. The contract was for the purchase of land. No doubt it would have been a loss to the city. But what be-

comes of the inviolability of a contract, if, whenever one party is "sick," he is to be relieved by a court? We glorify the court which directs specific performance when we make; we glorify the court for directing a denial of the contract when we lose. Consistency, thou art a jewel.

The past week saw two former Providence booksellers go to meet the rewards of the just,—George H. Whitney, my former employer, and William Coggeshall, a former Tract Society agent.

The utter abomination of the stealing of the grave of the *first Governor of Rhode Island* under the Charter, Benedict Arnoldt by an individual, simply that he may extort for the ground which it occupies, was clearly shown by the *Newport Herald*, which paper investigated and confirmed the paragraph in the last issue. Will the city of Newport stop the steal and re-set the fine headstones which for two centuries stood there.

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No. 11.

A few copies of Mr. Brooks Adams's new book, *The Law of Civilization and Decay*, are for sale at 61 Snow street. An extract from this book was given in the last issue of BOOK NOTES. It is a book of extraordinary interest and value. The force with which it bears upon the monetary situation which now confronts us is unmistakable. It is the story of centralization, followed always by decentralization of money from the earliest times, and in all countries, and the lesson is tremendous. It is a book for the most thoughtful and most intelligent men; and it will make upon such minds a very deep impression. BOOK NOTES cannot now enter upon a close analysis of this splendid book, nor is this necessary; those men who read it will need no analysis; but this extract from Mr. Adams's preface sets forth the result upon himself of his own study: "When surplus energy (money) has accumulated in such bulk as to preponderate over productive energy, it becomes a controlling social force; thenceforth capital is autocratic, and energy vents itself through those organisms best fitted to give expression to the power of capital; in this last stage of consolidation the economic, and perhaps the scientific intellect is propagated, while the imagination fades, and the emotional, the martial, and the artistic types of manhood decay; as the social movement of a race is accelerated more of its energetic material is consumed, and ultimately, societies appear to attain a

velocity at which they are unable to make good the waste. In high stages of centralization, where unrestricted economic competition prevails, this law of energy is manifested by a gradual dissipation of capital which at last ends in disintegration." Such indeed is the tale which this history of the world has told. After taking a survey of the present economic conditions, Mr. Adams believes that the climax of consolidation, or centralization, has been reached, and perforce in obedience to the inevitable law, he must believe that decentralization must begin, but just how this is to be brought about he does not attempt to tell us. He tells what *has* been; he does not undertake to tell us what *will* be; time alone can do that. But his study makes mighty interesting reading. Of course it is original; it follows no other author, nor thinker; and for this reason, when Mr. Adams comes to his subsequent editions he will no doubt find new illustrations for our modern instances; but his line will be the same, and of necessity stronger still. There are two errors in dates, so plain as to mislead nobody, still we make a note of them. One on page 117, concerning Honorius, 1816 should be 1216; the other on page 221 concerning Hatton's attempt to get Ely House and lands, 1775 should be 1675. These are typographical errors. This note was written with reference to the Sonnenschied edition; the Macmillan Company have now reprinted the book and propagated

the same errors at pages 150 and 270, respectively.

As an illustration of this climax of consolidation the *Journal* gives us this concerning Mr. John D. Rockefeller. The value of his wealth the *Journal* says, is \$179,000,000; his daily income (24 hours per day) is \$20,000; his hourly income (same time) \$833.33; "\$14.00," the *Journal* says, "rolls into his coffers every minute for 24 hours," seven days every week. Let me state it slightly different, using the *Journal's* figures:

Property, \$179,000,000; income, \$20,000 per day; \$2,000 per hour (ten hours); \$33.33 for every minute, for ten hour days.

An Olneyville mill laborer receives \$9.60 for each week's labor, (exclusive of strikes and shut-downs), 10 hours for each day, six days in a week, which is 16 cents per hour, and a little less than one quarter of a cent per minute.

The lesson is one of *economy* of course for the Olneyville slave—"protection" of American Home labor is the need of the hour.

The Woonsocket Daughters of the Revolution held recently a meeting, partly frolic and quasi historical, to mark the site of a Beacon, which was placed on Cumberland Hill in the war of the Revolution. Upon this occasion, Mrs. James H. Rickard, "historian of the Woonsocket chapter, gave an historical address," which has been printed in sundry local papers, with the heading, "A Revolutionary Beacon." Men, I knew, might become revolutionary, but I did not know that Beacons could. These efforts are in many ways worthy of commendation; attention is fixed upon localities, and things which have become historic are fixed in connection with these localities; men and women turn their attention for a moment from the consideration of novels to the consideration of matters of history, or what they suppose is history; if it is history, then all will be well; if it is not history, then not only is nothing gained, but additional error

is propagated, and history becomes more and more corrupted. These were the thoughts of the writer as he "ran" through Mrs. Rickard's historical address. BOOK NOTES has no intention of criticising Mrs. Rickard save upon a single point, which she sets forth in these two extracts taken from her address: "Contrary to the belief of the historians of Rhode Island, we think we can prove from tradition, often as reliable as documentary evidence, that its fires (this beacon's) were lighted during the Revolution." * * "The following story illustrating its use has been handed down in the family of one of the participants, but one generation intervening between the soldier and the lady who tells the "legend" and who is now living. Just before the battle of Bunker Hill a company was organized in Cumberland, which was ordered to join the forces in Boston when the signal should be lighted on Beacon Pole Hill. Stephen Brown, from whom the story descends, was a member of the company, and with the others his gaze was often on the signal tower; at last the kettle of tar which had been in readiness for many nights, blazed forth the warning to the watchful eye; before light the good-byes were said, the company assembled and on their way to Boston." The first paragraph here cited, relates I presume to myself, since I have never read in any book any such opinion by any Rhode Island historian; and since I expressed such an opinion to Mrs. Rickard, who came to ask historical facts from me. It was not a chance remark that I made to the lady; on the contrary, it was the result of research and careful thought, and I propose to defend it. The lady says "tradition is often as valuable as documentary (or record) evidence." I deny the proposition, and on the contrary assert that tradition is *never* as trustworthy as a record, and this I will show in connection with her "legend." The battle at Bunker's Hill took place on the 17th of June, 1775. The General Assembly met on the 3d May, 1775, created an "army of observation," put Col.

Daniel Hitchcock in command, and sent it immediately to Boston. It went into camp at Prospect Hill. This "army" consisted of seven hundred men, who came from every town in Rhode Island, Cumberland included, and were encamped on "Prospect Hill" near Boston, for weeks before the battle; they were not engaged in the battle; not a Rhode Island musket was on that day discharged. There was then no Beacon pole on Cumberland Hill. The General Assembly met in special session, *after the battle*, on the 28th June, and then directed "the Town of Providence to fix a Beacon on the Hill to the eastward of the said Town, to alarm the country in case of an invasion."—(Acts and Resolves, June, sec. session, 1775, page 78.) Would Mrs. Rickard undertake to make us believe that a beacon was set up and in actual use on Cumberland Hill *before* this one in Providence? Well, hardly. But will the lady observe, these beacons were set up "to alarm the country in case of an invasion." Was Bunker's Hill a case of invasion? Well, hardly. The battle was fought out and ended long before a light could have been seen forty miles away. No man left Rhode Island for the scene of the battle *after it was over*. Mrs. Rickard's story is tradition, and is positively worthless, recorded facts wholly overthrow it. Now, why did not the lady heed that which I stated to her, and for herself study these records and see for herself the worthlessness of tradition in the face of a record. The utility of these beacons has been wholly overrated; there cannot be shown a single instance of use in actual alarm; for the very good reason that the cause for alarm was always over before a beacon could have been lighted. No message or information of what was wanted could be transmitted, and hence beacon poles never played any actual part save only existence in the war of the Revolution. While upon this subject I will correct Mr. Field in an error into which he has fallen. Mr. Field conveys the impression that these beacon poles were set up under orders of the General As-

sembly, and that the General Assembly acted under a suggestion of the Continental Congress. Mr. Field says Congress "urged the fortification of seaport towns in the colonies," and "the taking of such other precautions as might be expedient"; and that the General Assembly promptly endorsed the suggestion on the 28 June, 1775; then continues Mr. Field, "the first act of precaution taken at Providence was the erection of a beacon to alarm the country about in case of the approach of the enemy"; and he further says, "this action was taken at a town meeting held 3 July, 1775"; but he says nothing, save the date, about the order of the General Assembly above given, which directed the town of Providence to set the beacon on what we now call Prospect Hill.—(Field's Defences, page 43.)

Will Mrs. Rickard please take notice that this Providence beacon was the first of those beacons of the time of the Revolution; that it was ordered by the General Assembly eleven days after the battle of Bunker's Hill; that the town of Providence proceeded in the matter five days later, and that it was lighted the first time—for trial only—on the 17th August following, exactly two months after the battle. So much for the value of tradition as against recorded evidence. Now in correction of Mr. Field. Rhode Island did not act on the suggestion of Congress, but long before it; the suggestion by Congress was made on the 7th October, 1775, nearly five months after the General Assembly had taken action, and nearly two months after the Providence Beacon had been erected and tried.—(Journals of Congress) under the date 7th October, 1775.

The first thing which the superintendents of schools here do is to prepare a lot of school-books for use by the children in the public schools. It was so with Prof. S. S. Greene and his *seven* grammars; it was so with Rev. D. Leach and his *three* arithmetics, his *spelling* book, and his *geographical* question book; it was so with Bailey's alge-

bra, whose author was the father of Prof. Greene's wife, for which reason this dead book was brought back into a spasm of life, just to be used here, Mr. Greene being in control of the school committee. The present incumbent, Mr. Tarbell, has a series of *Language Lessons*. A day or two since a child from the ground tier of a grammar school came to me with this question: What does *jule* mean? I did just what you would have done,—told the child I did not know; but I did something which probably you would not have done. I "went for" that word. The child found it in his lesson from Mr. Tarbell's book; his teacher could not explain it, hence, knowing me, he came to me. The word could not be found in Webster's new International Dictionary; nor in Worcester's, nor in the Century Dictionary, nor in Richardson, nor in Walker, nor in Sheridan, nor in Johnson's, nor in the Murray's new English Dictionary. So far as dictionaries in other languages are concerned, they were not examined, since Mr. Tarbell's book was designed to assist children in the very necessary art of speaking and writing the English language correctly. Now suppose Mr. Tarbell was to ask this child, or any other child, or any teacher in this city, to write a sentence incorporating the word "*jule*" into it expressing the proper meaning of the word, how many could do it? probably not one. Then of what use is such education? Not of the slightest use. In fact, it is not education, for every child left the school just as ignorant, so far as "*jule*" was concerned, as he entered it. But BOOK NOTES never leaves you in ignorance. It told the child, and will tell you, what "*Jule*" means, and where it can be found. The word can be found in Bailey's Dictionary, the Folio edition, 1732, where it is defined as a Hymn sang by both the Greeks and the Romans for the propitiating of the god Bacchus and the goddess Ceres for the coming crops.

The latent powers dormant in men are the profoundest among secrets; one never knows

the extent of one's powers until the exigency, or the flood-tide comes in; the greatest secret to mankind is man himself. There may be philosophers, and generals, reformers, and epoch makers among our immediate acquaintances, and we know nothing about it. Just such a man is Edwin R. Gardiner, the official stenographer of the Supreme Court of Rhode Island. Here I've known this man for an almost uncountable number of years, never once having suspected the latent talent which lurked within his sphinx like head. It was but a little while since there came to the writer a couple of addresses delivered in New York by this man. They were eye-openers; and now comes another. It was read before the New York State Stenographers Association at its annual meeting, 27th August, 1896. It is entitled, "Some Educative Features of Court Reporting," and it is so genial, so pleasant, so instructive, that one can never tire of it. There sits a man; the serene soberness of his face immovable; he transfixes the mental scenes of the court transpiring before him. Every phase of human passion from love to hate, he contemplates; nothing escapes him; the "startling history," the "whole realm of discord," the "perversity of passion," an "endless world of folly," the "tricks and snares that are forever spread to entrap the unwary," "skeletons of every closet brought in daily for dissection," the "details of every feud," the "subtle schemes for the enrichment of the few by the robbery of the many," the "determined purpose with which greed and hate pursues its prey,"—all these things the court reporter sees, and then he "wonders at the baseness of men." Mr. Gardiner is a very excellent writer.

The beginning of a new volume of the *Review of Reviews* is signalized by an expansion of the name of that very successful and widely read periodical. It has now become the *American Monthly Review of Reviews*, with particular emphasis on the first two words. It seems likely enough that the public will speedily fall into the way of calling this magazine the *American Monthly*, for short,

As a Judge upon the bench of the Superior Court of California, nobody ever heard of Mr. J. H. Logan, but when he accidentally grew, or rather there accidentally grew, in his garden a new berry, a cross between two other well known berries, grown not by Mr. Logan's skill, but in spite of it, forthwith the Jurist becomes familiar with fame, and his name, attached to his berry, is blown to the uttermost ends of the earth. The Loganberry has done for the upright Judge that which all his judicial integrity would never have accomplished—given him a name. Such is the irony of fate.

The trolley roads, says Alvan F. Sanborn in the July *Atlantic*, are rapidly covering Massachusetts, Rhode Island and Connecticut with a network that is slowly and surely redistributing the population; it seems almost inevitable that a great part of the present rural area of these three States will ultimately be included in the suburbs of their numerous and wide scattered industrial centres and of their dozen or more larger cities.

Collier's Weekly is an illustrated journal published in New York city by Peter Feneelon Collier. It has well written leading articles along certain lines; the first of which is in leading politics; this week this article is upon the Hawaiian Treaty of Annexation; John Habberton and Edgar Salters handle the lighter lines; and Sarah Jeannette Duncan has just now a novel running through the weeks, and Julian Hawthorn is the *Globe Trotter*. The acquaintance of *BOOK NOTES* with *Collier's Weekly* is but of recent date, but week by week our interest increases as we grow familiar with the method of the handling of it. A very spirited picture of the Ocean drive at Newport enlivens this week's issue.

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VOL. 14.
No. 15.

The writer has for several years published a series of short historical treatises relating chiefly to Rhode Island history, under the general title, *Rhode Island Historical Tracts*. They were published in a series, and numbered. Number 18 of the first series was entitled, *Gleanings from the Judicial History of Rhode Island*, by Thomas Durfee. For the protection of the purchasers of these Tracts, a limited edition was printed—250 copies—with a pledge by the publisher that no more should be published. This was a public advertisement, well known to both the authors and the purchasers of the *Tracts*. Copyrights were taken out by the publisher in order to secure this result. On the 12th June, 1883, copyright was issued to Sidney S. Rider for the *Tract* above mentioned, and immediately following it the *Tract* was published. In 1888 a party attempted to purchase from the assignee of said Rider the copyright of *Tract* No. 5 of this series, for the purpose of reprinting it; which act would have been in violation of the agreement to which Rider had bound himself by his publications, and Rider so notified his assignee, and further informed him (the assignee) that he would ask an injunction against any attempted republication of the *Tracts*. The matter was finally taken before the Supreme Court, and an opinion was given, 7th July, 1888, and printed in the 16th R. I. Reports, p. 271, Thomas Durfee, Chief Justice, Charles Matteson and John H. Stiness Asso-

ciates. The opinion said: "Subscriptions were solicited by Rider with statements that the editions of each *Tract* was limited to 250 copies; and that the same would not be reprinted, whereby the value of said *Tracts* was greatly enhanced." "A copyright gives to the owner the sole right to print, publish, and vend copies of a written composition; it is a grant of an exclusive privilege by the government; it secures to the author the fruit of his toil, or enables him to dispose of it with his incidental rights to a publisher, who thus becomes the proprietor, and as such entitled to protection in the venture of publication." "Conformably to the contract, he (Rider) could not himself reprint the *Tracts*; * * thus while the copyright still exists for protection, it has been stripped of its value as property."

An elaborate book has recently been published, entitled, "The New England States, their Constitutional, Judicial, Educational, Commercial, Professional and Industrial History." To this book Thomas Durfee contributed chapter No. 163 of volume 4, under the title, *Judicial History of Rhode Island*. The following foot note, by Judge Durfee, occurs at the beginning of the chapter, (page 2362):

"The opening sentence in this chapter is virtually the same as in a *Tract* written by the author and published by Mr. Sidney S. Rider, as No. 18 of his first series of *Rhode Island Historical Tracts*. The *Tract* covers parts of the ground covered by this chapter.

In treating those parts the author's aim has been to make fresh studies of the original authorities, using the Tract only as any other writer might properly use it. But so used, it has been of much assistance to him; and, inasmuch as when written it passed to Mr. Rider, he hereby makes acknowledgment to it."

Thus Judge Durfee admits the property right of the publisher, which as a judge he had declared in the 16th R. I. Reports; he admits that his "opening sentence" in the recent paper "is virtually the same as in the Tract,"

and he declares that he "used the Tract only as any other writer might properly use it," and he admits that "so used it has been of much assistance to him."

That the property right in these Tracts is in Rider there can be no denial; that the "opening paragraph" in Judge Durfee's new essay is "virtually the same," he himself admits; the following parallel comparisons will show this, and they will also show that a great proportion of the recent publication was taken bodily out of the original Tract.

EXTRACTS

R. I. HISTORICAL TRACT, No. 18.

*Gleanings from the Judicial History of R. I.
By Thomas Durfee.*

The first settlers of Rhode Island founded not a single state but four separate communities, namely, Providence in 1636, Portsmouth in 1638, Newport in 1639, and Warwick in 1642. The Warwick settlers guided by Gorton believed that they had no right to create a government for themselves without the sanction of the mother country, and accordingly remained until after the organization under the first charter in 1647, without government and of course without a judiciary. (page 1.)

The Providence settlers agreed to be governed by the major consent of the freemen of the town only in civil things. They seem at first to have transacted their judicial as well as their other public business in town meeting. Thus it was in town meeting that Joshua Verin was tried, convicted, and disfranchised for violating the right of soul liberty in the person of his wife in that he would not let her forget the week day religious services of Roger Williams. (page 2.)

In the case *Meyers vs. Callaghan*. Meyers was the owner of the copyright of the Illinois Reports; one Freeman had been employed to prepare the volumes. Callaghan had employed other persons to prepare a set of Reports concerning the same decision as was published in the Meyers edition. The question was upon an infringement of the copyright held by Meyers. The case went to the U. S. Supreme Court. The entire set of Callaghan's (the defendant's) Reports were held to infringe. The following extracts are from the opinion: (U. S. Rep. 128, p. 560.). "It appears that all the volumes of Mr. Freeman were used in this editing or annotating"—"in some instances words and sentences copied without change, in others changed only in form"—"the conclusion is irresistible, that for a large portion of the work performed in behalf of the defendants, the editors did not resort to original sources of information, but obtained that information from the volumes of Mr. Freeman."

In the case *Lawrence vs. Dana*, 4 Clifford, V. 1, the Court held, "To constitute an invasion of copyright, it is not necessary that the whole of a work should be copied, nor cover a large portion of it in form or substance; if so much is taken that the labors of the original author are substantially to an injurious extent appropriated, that is sufficient."

EXTRACTS

FROM "NEW ENGLAND STATES,"

Chapter CLXIII.

*Judicial History of Rhode Island. By
Thomas Durfee.*

The first settlers of Rhode Island founded not a state, but four separate communities, to wit, Providence in 1636, Portsmouth in 1638, Newport 1639, and Warwick 1642. Each of these except Warwick formed a government for itself by agreement, calling itself a town. Their judicial history down to their union under the first charter in 1647 is a proper preliminary to that of the state at large. (page 2362)

The Providence settlers agreed to subject themselves to all "orders or agreements" made for the public good in an orderly way by the major consent of the present inhabitants, masters of families," &c. The judicial power, like other powers vested directly in the freemen, and, until elsewhere bestowed, could be exercised by them in town meeting. It was in town meeting that Joshua Verin, who had offended against liberty of conscience by refusing to let his wife attend the week day services of Roger Williams." (page 2362.)

"The new system fell short, first, that the court continued to be held by the governor, or deputy governor, and the assistants, and second, that it continued to be held exclusively at Newport." (page 17.)

"The copyright protects the whole and all the parts and contents of a work."—Drone on Copyright, 412.

"The Governor, the Dep. Gov. and the assistants were political officers, chosen mainly for political reasons." (page 17.)

"Newport was the chief town of the colony in wealth, population, and social influence; * * no other town equalled it in political importance." (page 17.)

"Though not central in location, it (Newport) was easily accessible from all quarters by water." (page 17.)

"The fair uses others than those of legitimate quotation which an author is privileged to make of a copyrighted work in the preparation of a rival, or other publication, are restricted by recent English Decisions to very narrow limits." (Drone on Copyright, 394.)

"The Portsmouth settlers inclined at first to a sort of theocracy, they agreed to submit their persons, lives and estates unto one Lord, Jesus Christ," &c. (page 3.)

"The property rights of the owner cannot be invaded under a pretence of a legitimate use of the book in the development of literary results." (Sweet & Browning, 16, 2. B. 459.)

"These successive grants indicate a growing sense of the need of the more plastic powers of chancery to deal with the increasing complications of business, and at the same time betray a certain wariness in conceding them." (page 24.)

"The intelligent reader will not fail to remark the surprisingly rapid development of judicial ideas in the two island towns; within less than three years they advanced from that rude popular forum, a town meeting undertaking to administer the law of Judea in an American wilderness, to a well organized judiciary." (page 6.)

"The question of fair use cannot arise, because the attempt is made to conceal the fact of use by colorable alterations."—(Chapman & Fenn, 18 Fed. Rep. 539)

"The next important change occurred in 1729, when the colony was divided into three counties." (page 14.)

"Lord Ellenborough held, it is to be considered whether there be such a similitude and conformity between the prints that the person who executed the one must have used the other as a model."—(Drone on Copyright, 410.)

"The chief drawback to the new system was that this court continued to be held by the governor, the deputy governor, and the assistants, or a quorum of them, and only at Newport." (page 2369.)

"The Governor, Dep. Gov. and the assistants were political officers, more likely to be chosen for their political than their judicial qualifications." (page 2369.)

"Newport prior to the Revolution was the most important town in the colony; * * it was the center of political life." (page 2369.)

"Newport was not central in location, and though widely accessible by water." (page 2369.)

"The Portsmouth settlers came fully charged with the zeal of fresh converts for the peculiar Puritanism which they professed, and in their initial compact evinced a decidedly theocratic turn of mind." (page 2363.)

"These successive grants increasing in frequency with the years show a growing sense of the need of chancery powers to deal with the increasing complexities of business, and also a sort of tentative cautiousness in conceding them." (page 2373.)

"The foregoing account shows a remarkable progress on the part of the settlers of the island towns; beginning with an attempt to administer Judiac law by town meeting in an American wilderness, they passed in two years to an effectual realization that as they were still Englishmen, the laws of England with courts and juries to administer them, were the proper laws for them." (page 2364.)

"The next important change occurred in 1729, when the colony was divided into three counties." (page 2368.)

"The Court continued to discharge its duties under the uncouth and lumbering appellation of the Superior Court of Judicature, Court of Assize and General Gaol Delivery, until 1798, when it received the name of The Supreme Judicial Court." (page 22.)

"It is not possible to say by what specious show of reason the General Assembly was originally led to suppose it had the large judicial powers which it was accustomed to exercise; the charter does not confirm them. * * That it did not usurp these powers with entire freedom from misgiving is manifest, for in 1678 it refused to interfere with the judgment of the general court of trials. * * Nevertheless, in 1680 the Assembly passed the act which constituted it the high court of appeals for the colony; in 1699 the Earl of Bellomont under instructions to inquire and report on the conduct of the colony of Rhode Island in various matters, made report." (page 59.)

"Unfair use may be made of a copyrighted paragraph and no trace left of such use in the resulting paragraph; we should therefore not feel constrained to the conclusion that infringement can be shown only where the two paragraphs disclose suggestive verbal identity."—

"From the earliest times until quite recently the judges were paid part in fees; * * at first the judges were paid a per diem for actual service." (page 28.)

"Of course, the General Assembly must have been fully advised of the report; yet in 1705 it enacted, prefacing the act with a semi apologetic preamble, that, &c." (page 59.)

"Substantial identity, or a striking resemblance between the work complained of, and that for which protection is claimed, creates a presumption of unlawful copying which must be overcome by the defendant."—(Drone on Copyright, with many citations and decisions, page 400.)

"The Assembly also exercised a jurisdiction neither appellate nor revisatory, which was exceedingly heterogeneous; thus it was accustomed to authorize guardians, executors, and administrators to sell real estate for the change of investment, or the payment of debts." (page 44.)

"In 1798, the Superior Court of Judicature, Court of Assize and General Gaol Delivery, by law then enacted, exchanged its trailing title for that of The Supreme Judicial Court." (page 2370.)

"The Charter of 1663 empowered the General Assembly to establish judicial tribunals—not to act as such tribunals itself—* * still there was some hesitation (about the assumption of judicial powers) for when in 1678 a petition was presented for the revision or refusal of a judgment of the general court of trials * * nevertheless in 1680, it passed an act allowing appeals to the General Assembly from the general court of trials. * * In 1699 the Earl of Bellomont, after inquiring, under instructions from the Crown, into the conduct of affairs in the colony, reported." (page 378.)

"In the earliest times the judges of the higher courts received no salaries but were compensated for their services by a share of the fees." (page 2389.)

"The Assembly could not have been unapprized of this report; and yet in 1705, excusing itself by way of preamble for not creating," &c. (page 2378.)

"The Assembly in its early years acted in many matters which were afterwards given over to the courts; thus, it granted to executors, administrators, guardians or trustees, leave to sell the lands of their testators." (page 2380.)

Copious as are these extracts, I have not nearly exhausted the supply; they show conclusively that the second essay was in fact compiled chiefly from the copyrighted *Tract*; as a matter of fact, the *Essay* is a second edition of the *Tract*. Among these extracts I have interpolated the law bearing

upon such cases, and the best decisions under the law. In his note, cited above, Judge Durfee says that he "has used the *Tract* only as any other writer might properly use it." That he *has* used the *Tract* cannot be denied; but that his use was that only to which anybody had a right I deny, and on the contrary

I insist that his use is a rank violation of the law. As a judge, he gave the opinion that Rider could not himself reprint, and hence his assignee could give no right to any other man to reprint. (16th R. I. Reports, 273.) As a judge, he has prevented an individual from reproducing *Tract No. 5*; as an individual, he has reproduced (in effect) *Tract No. 18*. As a judge, he declared that copyrights are taken for certain protection which is given to property; "it gives the man the sole right to print"; "it is a grant of an exclusive privilege, and the proprietor is entitled to protection." If a man can do that which Judge Durfee has done, then there is no virtue in a copyright, and Judge Durfee's opinion, as herein set forth, is the merest nonsense; it cannot for a moment be admitted.

But what is my remedy. Judge Durfee decided in the opinion above cited, that Rider's copyright "still exists for protection"; and he decided that "it has been stripped of its value as property," for Rider cannot republish; but has not Mr. Durfee found pecu-

niary value, either by a violation of Rider's copyright, or by circumventing it? Under his decision, Rider could not bring a suit for damages, because Rider cannot himself reprint; but what right has Judge Durfee to reproduce? He has no such right. An injunction might be asked against his publishers, Hurd & Co., and it could not be denied; but how is Rider to get anything out of it? he cannot bring an action against Hurd & Co., injoining that firm from proceeding in selling and collecting the bills, and then permit Hurd & Co. to go on in collecting by the payment of money to him, Rider, for discontinuing the action, nor is it Rider's duty to bring an action for the purpose of assisting Hurd & Co.'s subscribers for the book in escaping payment for it. Clearly, then, no adequate remedy is open to Rider in the courts. All that he can do is to show how a judge, who for thirty years has held us to an obedience of the laws, has himself violated the law, and this he has done. Such a case is happily without a precedent, the conditions being considered.

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SATURDAY, Aug. 7, 1897

VOL. 14.
No. 16.

A few days since a clothing concern advertised in the *Journal* the public drawing of a lottery, the prizes being 10 in number, the drawing to be supervised by representatives of the Press. This concern not being an advertiser in BOOK NOTES, the writer suggested to Mayor McGuinness the reading of the 106th page of General Laws and the putting of its provisions into practical politics; in the most unctuous manner the Mayor informed the writer that he was at that moment giving his entire mind to the matter; thereupon the writer, *facilis decensus averni*, went down to the office of the Chief of Police. Capt. Egan received me with that genial gentleness which has always possessed him; but he refused to believe that a lottery drawing was publicly advertised here, and I could not possibly convince him of the fact that such a public breach of the statute could take place within 500 feet of the desk at which he was then sitting, and Captain Egan (metaphorically) took me by the ear and showed me the sidewalk. The drawing took place as advertised; the prizes were advertised just as they were, here, before the Constitution of Rhode Island prohibited such doings, and the Prizes were delivered (I suppose) to those to whom (they had been awarded) or had fallen. If the advertisement did

not lie, 250,000 tickets in those 10 prizes had been sold. Every man, woman and child in the city of Providence had each two chances in those ten prizes; but the police were in a condition of desuetude. And so I reflected on the utility of Statutes, and the value of oaths on the part of those who hold offices and were sworn to execute the statutes; but a change came o'er the spirit of my dream. Tetlow kicked up, and then Mayor McGuinness kicked up, and at last the Police kicked up, and the City Government went for Tetlow—is it because it is poor politics to attack lotteries under a statute, and good policy to pitch into Tetlow without a statute—or what is it—do the laws touch one man and leave another untouched? With much deference BOOK NOTES suggests to our excellent Mayor the question whether his act did not do violence to the legal rights of parties in this affair.

A fine subject for inquiry by the Historical Society would be the question of the existence of an ordinance of the Municipal Government of the City of Providence, prohibiting the ringing of bells in the streets for the purpose of selling goods. Was there ever such a law? When did it become extinct—can copies of it now be found—it used to read "No

person shall ring or cause to be rung any bell for the purpose of giving notice of any public sale, or auction, or of the exercise of any business, or calling, or for the sale of any article—Fine not less than \$2.00 not more than \$20.00." It was on Friday evening, at 8 55 o'clock that seven ice cream vendors passed our peaceful domicile, one following the other bang whanging upon a lot of huge discordant bells, and other things. It was and is, an intolerable nuisance; had not this law been lost, for it has never been repealed, Mayor McGuinness would surely have enforced it.

There comes a little book, written by Mrs. Anna C. Reifsnider, and published by the Midland Publishing Co. of St. Louis, entitled *Between Two Worlds*. A paragraph quoted on the cover of the book thus: "By this mysterious thing called death I am constrained to live between two worlds," forms the key to the story; it is another attempt to fathom the unfathomable, to solve the insoluble; the mental influence of one mind upon another mind, and whether such an influence can be exerted, or exists, after we have left this world; can the loved spirit of a friend departed, unconsciously to ourselves, excite thought in us, or influence us in action? Socrates told us, 2000 years ago, all that we shall ever, while here existing, know about it. Mrs. Reifsnider's book sells for \$1.00.

The backwardness of the town of Cumberland in supplying men for the Revolutionary Army is a plain matter of record which no amount of tradition can overthrow—nor can this backwardness be attributed to scruples of conscience. The Cumberland Records will not disclose half a dozen cases, where men asked relief for military services upon the ground of religion. This curious record exists there: "Whereas on

the 9th of this October there will be by appointment an ordination at the Meeting House in said Cumberland called Elder Cook Meeting House; and whereas on that occasion it is thought a large number of people from distant parts will assemble together, and as many of said number will undoubtedly want some refreshment and no Tavern being near to said meeting house, therefore the said Nathan Staples requested this Council that he might have liberty to retail strong liquors on said day." Thereupon Staples was given liberty to open two grog shops for the ordination, to be kept open until nine o'clock at night.

The *Journal* of the 28th of July contained a report of a case before Judge Tillinghast concerning the administration, under a Probate Court, upon the estate of a man who was living, but absent, at the time that his estate was "settled." In the course of the article the *Journal* gives this paragraph: "Incidental to this decision, the Court declared that chapter 298 of the General Laws, under which the property was taken after the owner had been absent seven years, was unconstitutional. The law has been in existence more than a century."

Exactly what this excellent Judge did Book NOTES does not know; but it does know, that Judge Tillinghast gave no such decision as the *Journal* indicated. If the *Journal* proposes giving Law Reports it is of the first necessity that they be correctly given—that above is nonsense.

The Rev. Dr. King, of the First Baptist Church, has again ventured to discourse upon a Rhode Island Historical question—This time it is the manner of the Baptism of Roger Williams—that is, whether by sprinkling, or by immersion,—as told in the apocry-

phal story by Winthrop—to wit—that Holliman, a layman, baptised Williams, and Williams in turn baptised Holliman, and thus founded the Baptist Church in America. The learned Divine should first establish the *fact* of the Holliman baptism, and then discuss the method—this he has failed to do—he does not even mention the fundamental statement by Winthrop. There is positively no historical value whatever in his essay.

The glory of Gov. C. Warren Lippitt's administration was beyond question the appointment of the Hon. Samuel Ward King Allen of East Greenwich, to prepare a Constitution of Government such as would be proper for the people of Rhode Island. The honorable gentleman has given as much of his valuable time as could be spared from his present care for the Electric Light and Coal Company of that delightful suburb.

The President Andrews episode appears to be "catching;" a teacher in the Providence High School was lowered two points, and his salary clipped \$400.00, by the School Committee at its last meeting. The teacher was a member of the Municipal League; a hint was given to him that his utterances in relation to the granting of street franchises to corporations should be more circumspect.

The *Stationer and Printer* of Chicago has this paragraph:

"One great reason why the principles embodied in factory legislation have not been applied to mercantile establishments is because the city newspapers fear to take up the subject, being so largely dependent on the advertising patronage of the great stores." This method of bidding for advertising by the muzzling of the newspapers, has deprived newspapers of whatever value they once claimed to possess, as being

published in the public interest. Just now a New York newspaper employs a lawyer to fight drivers of horses, and pedestrians in the interest of bicycle riders. It is only a bid for advertising. Neither pedestrians nor drivers of teams advertise.

The Newport Historical Society are proposing the putting of labels or metal plates with inscriptions, on "various places of renown or historic interest in Newport." Would not the grave of Benedict Arnold, the first Governor of Rhode Island, under the charter of Charles the Second, be a suitable place for one of those "labels."

If you wish to test the virtue of the old saw—*the fool and his money is soon parted*—just subscribe for the Wormley Edition of Balzac's Novels, which Roberts Brothers are proposing to publish for \$200.00. An agent engaged in selling such publications recently told the writer of the re-purchasing, by the publisher, of a book which he had published for \$400.00—for \$25.00. Do you see the point?

There came to BOOK NOTES a new and very useful instrument for opening letters, and cutting the leaves of magazines or newspapers; it is the connecting link between an ivory paper cutter and a stiletto; being made of steel, it is a mighty convenient thing for an editor to have around; it was invented, and is manufactured by the Anna C. Reifsnyder Book Company of St. Louis.

Harper's Weekly last week had a paragraph concerning the sale of the Ashburnham Library Sale in London, in this form: "A Latin Bible, dated 1642, the first printed with a date, brought 1500 pounds sterling." This paragraph quite inflamed a BOOK NOTE friend who

had a Latin Bible bearing this date which was at once placed upon the market. Our wits, as usual, were absent but ultimately we recovered them. It was a typographical error in Harper's Weekly. This 1500 pound sterling book was dated 1462, not 1642. It was funny, how a slight transposition of figures changed values.

The *Journal* always speaks of a convention of democrats as "assembled braves;" when speaking of republican BOOK NOTES suggests to the *Journal* he "assembled knaves."

BOOK NOTES has actually found a clergyman of this city who defends a tax on Bibles, and untaxed Beer; his republicanism is O. K., but his religion has gone to the demerol bow-wows.

If the young girls who hang about the Club House of the Narragansett Wheelmen, afternoon and evening, have fathers or mothers, it is time that the latter individuals gave some attention to their daughters.

An officer detailed to keep order at a wedding is paid for such service an extra fee, it being outside of his service; Let the same officer be detailed to keep order at a "religious" service, taking him from his home until nearly midnight and he is paid nothing,—wherein lies the fairness in this?

When one considers the length of the shore lines of Narragansett Bay, and in connection, considers the difficulty in buying, in the city of Providence, a peck of clams, in the shell, of a size suitable for opening, he is struck dumb with amazement. The explanation is found in the immense advantage to the dealer in selling only "opened" clams. I personally bought of a dealer a quart of "clams;" on examining the pur-

chase at home we found precisely *eleven* medium sized clams and the balance of the purchase was water—chiefly Pawtuxet. This dealer had no clams in the shell to sell.

A tree which stood on the sidewalk in front of a house which we owned, died, and the Municipal Government ordered the writer to remove it. Are the dead trees along Broadway kept the e for ornament, or has the Municipal Government changed its policy since it ordered me to remove dead wood?

The *Journal* is continuously urging the necessity of an immediate enlargement of the Manual Training School, which necessitates the condemnation of land on Summer street. Does the fact that a Mrs. Rosenfeld owns one of the (to be) condemned estates, and that her son, Jacob, is the City Editor of the *Journal*, bear upon this question of acute necessity, which is so very apparent to the City Editor aforesaid?

The series of papers which Gen. Porter has been publishing in the *Century* under the heading *Campaigning with Grant* are really very clever anecdotes. The *August Century* has a fresh installment. This number has two papers on Jenny Lind which are positively charming reading. Gen. Schofield's *Controversies of the War Department* must be classed among those disclosures of secret history which will multiply as we get away from the epoch.

It is certainly possible that there may be a better maker of *Directories* than my friend, De Witt C. White; but if there is, we have not stumbled upon him. It is singular, and possibly plural, too, that the city of Providence has had but two *Directory* makers, Hugh H. Brown, rest his soul in peace, and De Witt C. White, may his shadow never grow less. Mr. White "has long travelled in the ways of men" * * * and his works "are as lamps, set in our paths, to light us to the edge, through the rough and the smooth."

I went personally with a physician's prescription to a pharmacist; his price for it was \$3.50; I took the prescription to another pharmacist; his price was \$1.50; I took the prescription to a third pharmacist with the result that I at last bought it for 75 cents. *It pays to hunt.*

I wanted my mucilage bottle filled; took it to a druggist, didn't ask the price; it was filled, and I was asked 45 cents. I made the druggist a present of my bottle, went to the nearest stationer's and bought a fresh bottle, just like my old one, for 30 cents. *It pays to hunt.*

The *New England Magazine* for August, has several articles of interest to Rhode Islanders. Mrs. Elizabeth B. Chase, writes about "Old Quaker Days in Rhode Island;" Edmund Kirke has an amusing paper about "Nathaniel Emmons and Mather Byles;" Mr. Memund has a beautifully illustrated paper on "Block Island" and a writer,

Lydia Coonley contributes two poems about Saconet, with five illustrations. The number as a whole is exceedingly fine.

The *Journal*, now that it holds no Union Railroad stock, makes a furious assault upon the corporation for not attaching "Fenders" to its cars,—taking the death of John Devine for a text—"Cow-catchers" attached to locomotives save the lives of few objects that get in front of them while moving. This "Fender" question is yet an open one. No fender yet devised is of any value. Men should keep from going in front of moving cars—unless a good distance is preserved. The *Telegram* follows the *Journal* with a cartoon with a death head, under which are ten victims, and this legend "Yes, the Union Railroad has a Fender" but no De-Fender.

You can buy an excellent set of the Encyclopedia Britannica, English edition, at 61 Snow street for \$50.00.

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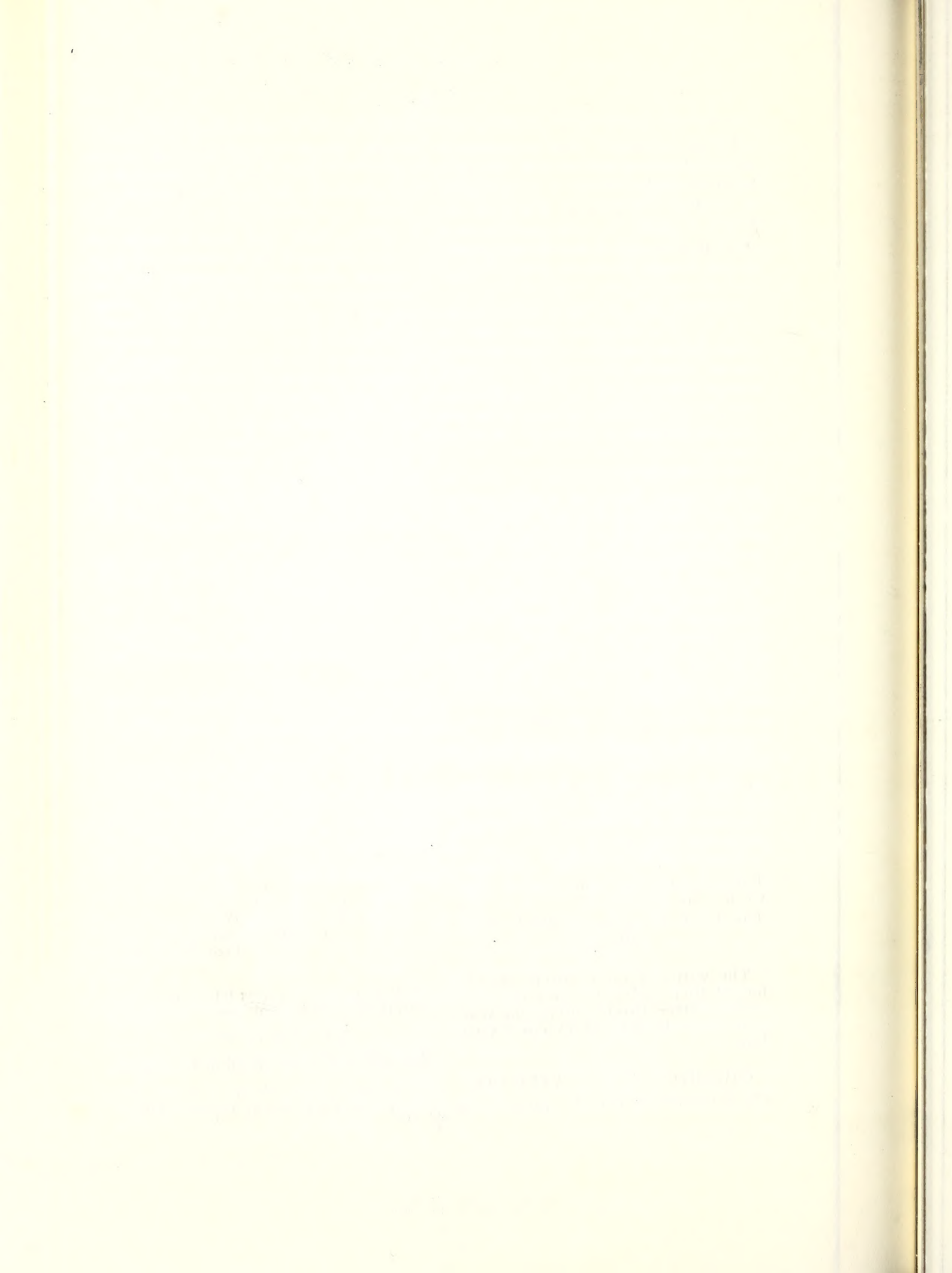
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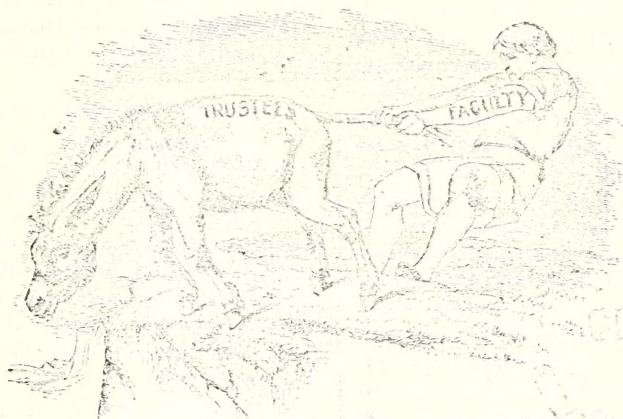
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Anent the discussion regarding the propriety of muzzling teachers in universities least they should teach too much, or teach that which somebody had not yet learned, or did not like, a discussion engendered by a letter written by certain Trustees of Brown University to the President of the Institution (Andrews); his letter in reply, resigning the presidency; and a letter written by two-thirds of the Faculty, in criticism of the action of the Trustees BOOK NOTES recalls a letter in the *Sunday Journal*, written by Mr. H. C. Clark. The characterization of parties in Mr. Clark's letter, specifically the Faculty (that is, the Teachers) and their ad-

dress to the Trustees as "the tail wagging the dog," is peculiarly happy. The Trustees are the Dogs, the Professors are the Tails. It was fine. But there is a sentence in Mr. Clark's letter which, when considered in connection with the subject of the letter, is capable of a double spring-back action, which is quite boomerangish. It is this: "We often hear of men not noted for intelligence coming to the conclusion that they know more about conducting their employer's business than the employers themselves." BOOK NOTES has long thought that Mr. Clark might be able to Shedd light on harbor lines, but it has never suspected Mr. Clark of

being possessed of the ability of a Brown Trustee in deciding what shall be the limits of a teacher in holding a private opinion, or how broad shall be the scope of knowledge, which he considers detrimental to the swelling of his money bags. These things must of course be limited; since, in the words of the Trustee letter, "to promulgate them will appeal most strongly to the passions and prejudices of the public." What does Mr. Clark know that this Faculty does not know, about teaching 950 college students. The above cut, an illustration to Æsop's Fable, No. 129, the *Ass and his Master*, is dedicated to Mr. Clark. It may not show just how "the tail wags the dog," but it will show how the tail sometimes wags the ass.

BOOK NOTES to the "Faculty"

"They also know,

And reason not contemptibly; with these
Find pastime."

It would be a great relief to many of us were the Chief of Police to print occasionally the names of such people as "break the laws," and who will not be molested for such breaches. Give us a list of such of the laws as you have set aside, Mr. Chief. Of course you will show no mercy to a *female* prostitute.

The bicycle rider has become a positive nuisance, a danger to life and limb, and to good morals as well. No attempt whatever is made by the police to control this new assault on private right. The police are bound to see to it that citizens are protected in the highways—they do not their duty.

The ringing of bells all over the city, day and night, in order to sell ice cream continues, notwithstanding the law prohibits it. Has the Chief of Police repealed the law?

Concerning Canti-livers and Other Such Viscera.

The other day in attempting to write a pleasant BOOK NOTE for my friend Joseph E. C. Farnham's pretty book, even if it *was* printed with green ink, we questioned Mr. Farnham's spelling the word *Cantalever* thus, "another thing which Mr. Farnham describes is the Cantalever bridge at Niagara, only he spells the word, "Cantali,er." This kind of a bridge is in fact a construction which overhangs or projects beyond the supports upon which it rests; it is in fact supported by a certain kind of lever; then why spell it "liver?"

Just here my excellent friend, but very "odd" fellow notes an exception—maintains his correctness—and cites the usage of the Michigan Central Railroad officers as his authority—we need not say that those worthy gentlemen would almost convince us in most matters but we draw the line at philology; we were similarly touched by a letter written by a Rhode Island U. S. Senator; once upon a time, he wrote: "*the hint given by me works like a posion of jollof*;" our quandary is whether we shall follow the Senator as an authority. The political methods of Charlie Brayton, so far as I have observed them, do not appear to depend upon accuracy of knowledge of that branch of philological science which is generally designated by the name etymology—in fact I have known men to be elected Senators who were suspected of being deficient in this accomplishment of spelling. If my friend Joseph had cited those railroad men, as men skilled in evading the technical form and meaning of words, rather than as men skilled in philological science, he would have shaken me, but now in truth, he has not staggered me. I decline to accept their opinion on a question of philology, or rather, of anatomy as this question may be. The essential principle in this kind of a bridge lies in

the application of that mechanical principle which men call "the Lever." Now a *lever* is not a *lever*; this word cantalever is formed by writing two words, *Cant*, which in architecture, or in engineering, means an exterior or outer angle; and *lever*, which is a rigid bar, used to exert a pressure or sustain a weight. It is to this mechanical power that the name Archimedes has become inseparably attached, through his saying concerning it "Give me where I may stand, and I will move the world." Now, Joseph, what would you understand if I were to speak of the "liver" of Archimedes. Possibly you have not discovered that while a "*lever*" is a most important constituent in the construction of a Cantalever—a "*liver*" is a not less important constituent in the construction of a man. No matter where he stands a man's liver may tip him over; but that would not be the case with the "liver" of Archimedes. Stand where he would he wouldn't have moved the world very much. Ah! Joseph, your book may be green, but you aint, don't let those lamb-like railroad fellows fool you any more, or your *liver* may get a *cant*. Moreover the weight of authority is almost wholly against my friend Farnham's etymology. Fidler the most recent authority on bridge building, London, 1887, uses *Cantilever*; Cooper on American Bridge building, in 1890, in the Transactions of the American Society of Civil Engineers, uses *Cantilever*; Knight's Mechanical Dictionary, of the highest authority, uses *Cantilever*; Worcester's Dictionary uses *Cantilever*; Webster's International Dictionary uses *Cantilever*; the new Standard Dictionary (Funk & Wagnalls) uses *Cantilever*; last but not least we quote Murra's new English Dictionary, the very highest authority, it gives *Cantilever* and it shows that *lever* in its ordinary mechanical sense is part of the word. It declares that it is a "Flying Lever" and cites Pope on *Bridge build-*

ing, New York, 1811; it cites also Tredgold, a first-class authority, 1828, who described the *Cantilever* as a "Framed Lever." There are now existing no higher authorities than those above given. Against them all Mr. Farnham can bring only the *Century Dictionary*. This book for which we have high respect gives it *Cantalever*, and undertakes to sustain itself by reliance upon Bailey, 1733, and upon Johnson, 1755. This etymology the writer says is "nearest the *probable* original" and he continues, "the word is of uncertain origin." Then this astute writer proceeds to find an origin in "Early Modern New Latin" and assuming that he has found it, a pure assumption, says "it would naturally take, in English, the forms given" and that its origins could "hardly (be) as by some supposed *cant*, an angle, plus a *i*. a mere syllable of transition, plus *lever* a support." Now that is all a farrago of utter nonsense and the sooner the publishers of the *Century Dictionary* take it all out of their book the better it will be for the book. This *Century Dictionary*, was constructed upon the model of the *Imperial Dictionary*, published at Edinburgh; but the *Imperial* will not sustain the *Century*, it gives *Cantilever*. In fact no modern English or American authority can be found to sustain it. It cites only Bailey, 1733, and Johnson, 1755, and Johnson cites only Moxon without a date, but he (Moxon) was a writer in 1677. Certainly no man in his right mind would follow such a lead.

I bought a peck of potatoes at the "Public Market" and paid 35 cents, which amounts to \$3.85 per barrel. The same quality are retailed by the barrel on Canal street for \$2.25. Do you call that a "living" profit? The producers cannot get \$2.00 for what the consumer pays nearly \$4.00, and the two are within twenty miles of each other.

It is now almost half a century since the late George C. Arnold printed the first of the three *Genealogical Trees* issued by him showing the pedigrees of the family of Arnold. This family exhibits a record of great antiquity, reaching back into Wales even to the middle of the 12th century. These *Trees* embraced about thirty generations. Since Mr. Arnold's death his small editions have been exhausted and copies have been difficult of attainment, but the demand has not only continued but it has increased. To meet this demand the present Mr. George C. Arnold has republished the *Tree* made by his grandfather. To it he has added the beautiful arms of the family, and a small map of the county, Monmouth, England, in which is Abergavenny Castle, and in which the family began its career. The size of the *Tree* is 24x30 inches, beautifully printed, and is sent post paid on receipt of \$5.00. Copies may be obtained by addressing Mr. George C. Arnold, 238 Adelaide avenue, Providence, R. I.

The September *Atlantic* is positively excellent. The opening article is by Theodore Roosevelt upon "Municipal Administration: the New York Police Force." He explains the reform and administration of the New York police while he was President of the Police Commission, and briefly sketches the difficulties under which the Commission labored and the methods they employed to meet them. This paper altogether is a helpful chapter in the story of administrative reform.

The much-asked question, "Are the Rich growing Richer and the Poor Poorer?" is answered in an article by Carroll D. Wright, Commissioner of Labor, who says that while the number of rich men is increasing, the relative number of poor men is decreasing. He shows a hopeful tendency of our popu-

lation to increased well-being and more widely distributed wealth, but it must not be overlooked that a "*hopeful tendency*" is not an *accomplished fact*. A splendid *outlook* for business is not *business*.

In March, 1883, the Supreme Court of this state gave an opinion that it was unconstitutional for the General Assembly to call a *Convention* to revise the Constitution. Thomas Durfee was then Chief Justice. Ex-Judge Durfee is now at the head of a *Commission* engaged in revising the Constitution ordered by a partisan General Assembly.

Is it constitutional to call a *Commission*, and *unconstitutional* to call a *convention*? It is the sole right of the people to make Courts, and Judges, and Legislatures, and Constitutions of Government at their own pleasure—and they are not obliged to ask the assistance of such a man as the Hon. S. W. K. Allen in doing it. Can the General Assembly with the assistance of the Supreme Court prevent the people from the consideration of the fundamental law? The situation is an utter abomination.

The acme of municipal and legal nonsense seems to be reached by a law punishing a man for carrying a concealed pistol—and allowing boys to discharge the same weapons in every part of the highway with perfect freedom—actually in July last a boy, fourteen years of age, was discharging a revolver, loaded with ball cartridges, on Broadway in this city—many young girls from 12 to 15 years of age carried pistols and kept on discharging them as they walked.

BOOK NOTES would gladly print a list of lawyers and other men here who subscribed for Hurd & Co.'s "New England States" and agreed to pay \$30.00 each for the book. It may interest them to know that a set was offered for sale to the writer, a few days since, for \$10.00. It pays to subscribe for books.

In the Callender Company's window is a sign, 10,000 pounds of coffee at 21 to 24 cents per pound. I bought a pound; and this morning we had the stuff at breakfast. It was not coffee at all. To sell a man *coffee*, and deliver such stuff to him is neither more nor less than a swindle. They might with as much honesty sell you a book and deliver to you a package of water closet paper.

The movement against President Andrews was begun before Mr. Andrews was elected to the presidency; it began while he was a professor, and the late W. F. Sayles was then in it. Prof. Andrews was a Free Trader, and he was then driven out, and went to Cornell.

Col. George E. Waring, Jr., contributes to *McClure's Magazine* for September an article showing that, by improvements in method, a length of streets greater than the distance from New York to Chicago is now cleaned daily in New York without noise, con-

fusion, or even *dust*, and at a constantly diminishing cost; and that thereby the expense of living and the liability to death have been greatly reduced, and the whole tone and character of the life of the city elevated. Pictures of all the phases of street cleaning, from drawings and photographs, illustrate the paper.

The existence of such individuals as Rockefeller, and Carnegie, and the Vanderbilts, and the Astors are a constant menace to this Government—they can no more exist under a democratic form of government than human slavery could exist under it—one must go—either these men or the government. Mr. Lincoln's apothegm, "it is a government of the people, by the people, for the people is true no longer—it is a government of the people by the trusts, for the trusts—and nothing else.

It is the most flagrant assault upon freedom of thought, and expression of the results of thought since the assault upon Senator Sumner in the Senate chamber.

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HISTORICAL, LITERARY AND CRITICAL.

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SATURDAY, Sept. 4, 1897

VOL. 14
No. 18.

In a former BOOK NOTE the act of an ex-Chief Justice of Rhode Island in violation of the rights of men to property, under the copyright law, was justly stated, and severely, but justly condemned. BOOK NOTES will now consider the work of another Judge, contained in this same "New England States, Their Constitutional and Judicial History." This book claims to have been edited by a Judge Davis, and this Judge has written and published in the book a Constitutional History of Rhode Island. Let us examine the work of this author a bit—concerning the boundary dispute, for existence, on the eastern side of the Colony of Rhode Island this accurate and veracious Judge writes:

"The Commissioners met at Providence, April 1, 1741, and after a survey had been made the case was opened on the 3d of June. On the part of Massachusetts the Plymouth patent was submitted as evidence to establish her claim, but though it clearly covered the disputed territory it was not sufficient to invalidate the Royal Charter of Rhode Island." This entire paragraph is filled with errors, and in its most important statement it is the very reverse of the truth. The Plymouth Patent was never submitted. These are the words

of the Commissioners: "That the Province not having produced the Letters Patent constituting ye Council of Plymo nor any copy thereof, the recital of said Letters Patent in ye Deed from Plymouth to Bradford and his associates is not sufficient evidence against the King's Charter in that the Council of Plymo being a corporation could not create another corporation—and that no jurisdiction within the king's dominions in America can be held by prescription." (Appendix to the Record of the case, page 6.) This report was confirmed by the king in council. (*same reference, page 24.*) Moreover, Judge Davis is all wrong in his dates. The Commissioners met on the 7th of April, and not on the 1st; the case was opened on the 23rd of June, not on the 3rd; the Decree was made on the 30th of June. Inaccuracies of this latter kind run through the entire article. Here is another citation. The signatures to the Patent to Samuel Gorton for the Town of Warwick, or what subsequently became the town of Warwick, are thus given:

Arthur Helssigge, should be, Arthur Haselrige; Arthur Helsrige, should be, Arthur Haselrige; John Rool, should be, John Rolle; Sam Varrell, should be, Sam: Vassall; William Spurstone;

should be, William Spurstowe; Gilbert Garrard, should be, Gilbert Gerard.—(*R. I. Hist. Coll.* v. 4, p. 222.)

The learned writer, in discoursing of Samuel Gorton, who, he says, founded Warwick in October, 1642, uses this language: "he came in collision with the neighboring Massachusetts authorities, and being captured was tried for heresy, and condemned to imprisonment."—(*New England States*, v. 4, p. 2337.) Gorton did not settle Warwick in October, 1642; there was no Massachusetts authority within twenty miles of this Warwick purchase—and the Judge admits that while Gorton was "captured" on a suit for trespass and ejectment from Massachusetts land, he was tried in an action for heresy.

The learned writer continues: "In consequence of a protest made by the Plymouth Colony against an occupancy under the (Warwick) charter (of 1643) of lands claimed by that colony, the charter lay in abeyance until May, 1647 (*N. E. States*, v. 4, p. 2337.) This is true so far as it goes, but it states only half the truth—it makes no reference to the action of the Massachusetts colony against Warwick in the same case.

The learned writer continues: "On the establishment of a Superior Court of Jurisdiction of assize and general jail delivery in 1647 a complete separation between the legislative and judicial branches was effected." (*N. E. States*, v. 4, p. 2343.) If this writer will consult the chapter succeeding his own in this very book which he edited, he will see how utterly untruthful his statement is. Rhode Island history is filled with instances contradictory to it.

The learned writer continues: concerning the separation of the General Assembly into two bodies, he says: "Thus apparently a single legislative body was intended to be organized, but in direct contradiction of this provision an order was passed in 1666 for the Governor and assistants to form a leg-

islative body distinct from that of the delegates in the two sitting in separate chambers and each having a negative on the other."—(*N. E. States*, v. 4, p. 2343.) The date here given as the time of consummation of this separation of the two houses—was but the first proposition to do such a thing—in 1666—it was thirty years later, in 1696, that the thing was accomplished. For the hundred years, 1676-1776, little appears in this history, which fact the learned writer accounts for in this phrase: "Up to the Revolutionary period little remains to be narrated belonging strictly to the Constitutional History of Rhode Island."—*N. E. States*, v. 4, p. 2348 My most learned master, Sir Thomas Brown, tells me to "bring candid eyes unto the perusal of men's works and let not detraction block well-intended labors; and that he that endureth no faults in men's writings must read only his own wherein for the most part all appeareth white. Quotation mistakes, inadvertency, expedition and human lapses may make not only moles, but warts in learned authority who, notwithstanding being judged by the capital matter admit not of disparagements."—(*Religio Medici*, p. 136.) This is not that kind of a case. Upon a legal matter we have a right to expect accuracy of statement, from a judicial mind. In this essay the pith and marrow of the matter is left untouched. A person ignorant upon the subject could get from it no true understanding, but would be, on the contrary, wholly misled. These NOTES are not intended to be an exhaustive review of the essay; it is only here and there that it has been touched; but they are intended to show, and they will show that the writer began by being a stranger to the matter to be discussed; and that no proper study was ever given by him, and they show that where we were to look for clean, accurate, judicial statements upon constitutional subjects

such statements were wholly lacking. The book is worthless as an authority.

The *Journal* of the 20th August, chronicles the death, by starvation, in this Christian city, of a woman, Mrs. Jane Williams, a widow. This woman was a tenant of an attic, from another woman, in an old building in the rear of 770 Westminster St. I visited the scene of this misery. I was told that this poor woman had gone. Yes, I knew that she had *gone*, and I was informed that she came there from 92 Cranston St., Room No. 8. I visited also *this* scene of former misery. The property is owned by Prof. John Howard Appleton, of Brown University—and it is a regular rent squeezing construction. Appleton is exempt as a Brown University professor, from city taxation, in the sum of \$10,000. This property is taxed on a valuation of \$8,420. There is therefore no city tax upon Appleton for it. The rent roll amounts to nearly \$1,900.00 per annum. For years this Jane Williams lived in a single room in this rent-trap. There single rooms are rented for \$5.00 or \$6.00 for every month. Such extortion kept her poor, and she died ultimately from starvation. The landlord is not yet dead from starvation but his prefix of the name of a philanthropist should be abandoned.

Five days later, on the 25th of August, the *Journal* announces the death of Mrs. Elizabeth Studley, "from the result of long continued want." Again starvation of a woman in this Christian city. This woman the *Journal* continues "had been evicted from several places." I visited the scene of this misery. It was at 18 Danforth Street—which was not a street. Eighty-four dollars a year was the money the landlord (another Irishman, for Mrs. Studley was an Irishwoman) exacted. Mrs. Studley had six small children, the eldest thirteen years, with no husband. She was literally thrown by a relative, bag and baggage,

with these little children, into what may be termed the back entry of a cellar—inhuman barbarity—I would not have thrust a dog into it. Here this poor, sick, dying woman stayed two nights until the whole tribe was evicted. The woman, mother-like, had starved herself that her children might live. These people were all Roman Catholics, and I asked, where was the Priest, and was told that he came when it was too late. This Priest was false to his trust, for claiming to hold the keys to the gates of Hell in his hands, he failed to unlock them to the people who brought about such misery.

A manufacturing concern here had in July a million and a half of dollars (\$1,500,000) in value, added by a statute enacted by Congress to the wool it had in its storehouses. This vast sum of money this concern was by law allowed to take from you and me, by means of the coats and breeches which we are obliged to wear; so also these starved and starving women were forced by this law of Congress to contribute for the clothes which they were forced to wear or to go without, to the already rich manufacturer. We are, and they were, forced by a statute to give these men something for nothing. Are men entitled to stand upon an equality before the law? Do you call this equality? The Senators and Representatives who make such laws represent us exactly as Judas represented the cause of *his* Master before the Chief Priests and the Pharisees. Now do you for a moment believe that this government can exist under such conditions—or ought it to exist?

It is pain-ful to again refer to insurance matters here—but this time there is a *real* grievance. Somebody withdrew his business from Beach, and Beach was soured thereby—evidently something must be done to Sweeten

Beach, or Beach-n Sweet, whichever way you like it. Why not go to the General Assembly for another statute—get an amendment to the pretended law which the insurer tells the assured is the 80 per cent. clause, to the effect that any policy “floated” through P. & N. shall in case of loss be “sunk” one sixteenth—put this on a paster in diamond type and give it to the men who log-rolled the “Standard” form through the General Assembly—policies floated by P. & N. will then be soon “Beached.”

Mr. Carroll D. Wright has a paper in the September *Atlantic* entitled “Are the Rich Growing Richer and the Poor Poorer?” The bias of Mr. Wright is shown by the fact that the only authority which he cites by name is Senator Aldrich in a report prepared by him, “Aldrich on Prices and Wages, from 1840-1891.” The bias of Senator Aldrich was to make out that a “protective” tariff was the sure benefactor of the very poor—probably on the ground that these very poor would not be bothered and worn out in watching their unused surplus earnings. It has been a conundrum how Mr. Carroll D. Wright could successfully hold office under conflicting political parties, but he appears to have successfully held such an office, and upon a vitally conflicting subject too. In this paper Mr. Wright says: “There is an increased quarrel about some classes of wealth and some classes of wealthy people. It is this which gives emphasis to the assertion that the rich are growing richer and the poor poorer. If it be true religion is a failure, education a snare, industry an enemy of man, and civilization a delusion. The statement, I reiterate, is not true as a whole, but it is true that the rich are growing richer, and the poor are growing better off; with increased understanding of the true uses of wealth, the proportion in which

the rich are growing richer and the poor better off will assume more just and equitable relations.” How any honest scholar can write such a statement as is here written is beyond comprehension—but it shows how and why he has held office. He admits the truth of the phrase which he wishes readers to think that he has overthrown. In first phrase he says that the rich *are* growing richer; and then he says “with increased understanding of the true uses of wealth the poor *will be* better off.” It does not require statistics to show how the poor are growing rich—everybody can see. By stating that the poor “will be better off” Mr. Wright admits that the poor are not now better off, while he also says that the “rich are growing richer.” Really, Mr. Wright, what was your purpose in writing under such a caption and after many pages overthrow yourself.

It is delightful, but expensive, this printing or uttering your honest opinions upon even public matters. The publication of a little tract entitled *Municipal Economy*, considered with special reference to existing conditions here in Providence, cost the writer of it (he was a teacher in one of the public schools) a clip of \$500.00 in salary, and a lowering in rank, and an intimation. The real reason for this action does not appear to have been stated at the meeting of the School Committee at which such an infamous act was done. Do you propose upholding an honest man in holding an honest opinion upon a matter of the greatest public interest, or do you not, gentlemen of the School Committee? At whose command do you hold office? This victim was made first assistant in the High School in 1893, holding the position until this time; the salary was \$1900.00. This year the victim was reduced in rank to a second assistant, which reduces his salary \$500.00. The writer has no acquaintance with this victim—nor is the vic-

tim in any way responsible for this note—not a word of complaint came from him to the writer.

An acquaintance accuses the writer of being impolitic in exposing and denouncing a flagrant violation of the property rights of men, protected by the Copyright Law, because the offending party was, or had been, in a high judicial position—in plain English, so much above myself morally, politically, socially and intellectually—that I can only injure *myself* by referring to wrongs done by such a person.

Why should I be injured by disclosing the wrong done to the property rights of others? Has honesty ceased to be the best policy? This very acquaintance sent a boy to the State Prison for years for the boy's stealing from him a few gallons of whiskey. Was it because the boy had not reached distinction nor held judicial office that this acquaintance sent him to prison? Then this acquaintance

suggested to the writer, with refreshing impudence that BOOK NOTES cannot cure all the ills that afflict men, and sorrowfully we are obliged to agree with him.

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SATURDAY, Sept. 11, 1897.

VOL. 14.
No. 19.

Concerning the very amusing story of the starvation of two women, here in Providence; one woman, the mother of six young, very young, children; and the connection of landlords therewith, and comparing such acts with a law of Congress which requires those poor women, and all other poor American people to give, out of their slender wages, \$1,500,000 to an already (nominally at least) rich manufacturing corporation—a fortune and a half in a fraction of a minute—my neighbor said: “Mr. Rider, are you a disbeliever in an All Wise and Just God, who rules the world?” Of course I did not wish to admit that I was not a believer, when, in fact, I am a very profound believer. It is not God whom I distrust, but men. Fortunately my neighbor did not exact my idea in what this All Wise and Just God consisted—a tough question for a purely finite mind—but the reasoning of my neighbor persently penetrated my thick skull. He believes in the starvation of women because he believes in an All Wise and Just God; he believes in laws taking away the hard-earned wages of the very poor and giving such vast sums to already rich men, all the while calling such acts “protection of labor” because he believes in the existence of an All Wise and Just God;

he believes in the Dingley Tariff because there was an All Wise and Just God who governed the world, and whose Hand must have fashioned this legal robbery. This view of things, I confess had not at first struck me, but the more I thought the harder I was struck—according to my excellent friend Mr. Henry C. Clark—the tail was swinging the dog—when an All Wise and Just God had determined that Massachusetts should repeal the barbaric *man-made* laws, which hanged people who believed in a religion different from that proposed by the human law-makers, He permitted the hanging of Mary Dyer, a beautiful Quakeress, on Boston Common; when an All Wise and Just God determined to make an end the white man's laws of human slavery for men of another color, He began by permitting the Dred Scott legal decision; continued by the hanging of John Brown; and finished by the violent extermination by each other of a million of those white men, for no other reason than they had not resisted the wrong; this same All Wise and Just God, Ruler of Earth and Heaven, permitted the crucifixion of His Son, Jesus, by vile and wicked white men, to the end that eternal life might be given to my neighbor, and myself, and to you, and to

everybody. This All Wise and Just God, Ruler of Earth and of Heaven, then, must have permitted (if my neighbor held correctly) Dingley *et id genus omnes*, to make this Tariff which before this enlightenment by my neighbor, I had supposed to have been the work of his Satanic Majesty, for the purpose of another crucifixion—we are being crucified to the end that those who come after us may live.

The Historical Society have published, as volume 9 of its *Collections*, the papers which have been in process of publication in the *Quarterly*, issued by the Society during the year past, written by Henry C. Dorr and entitled the *Proprietors of Providence and their Controversies with the Free Holders*. The very name is fiction; there were no such controversies; no mention is made of the Pawtuxet Partners, but all through the book the actions of the Pawtuxet Partners are ascribed to the Providence Proprietors. It flies in the face of actual history. It was written to belittle Roger Williams, and to magnify William Harris who was the essential principle of evil in the colony. The statement of the legal cases of Clawson and Verin, would if they were truthfully stated make disgraceful things in the history of the Colony—but there is no truth whatever in the case of either as stated; the connection of Dexter with the Verin case is pure fiction, and Clawson had sold his common rights before the alleged *ex post facto* action. Mr. Dorr has put a date upon the Sachem's Deed, which date it has not; he discusses in pure absurdity the date of the Document *Salus Populi*; the statement, (p. 72) that this document caused the removal of Dexter as Elder of the First Baptist church, and the placing of Olney in the position, is unadulterated nonsense; the citation of Benedict in support will not support the statement—there is not a word of truth in it, Dex-

ter was not in New England until six years at least after Olney was made Elder. The privilege of voting, the right to vote is given in contradiction at various places; Williams is said to be willing to submit to a majority government, and also against it; in the Harris case, Mr. Dorr says Providence yielded submission of one of their cases to a court named by the Governor of the United Colonies; wholly incorrect; there was no such Governor. This court kept Providence men Mr. Dorr says "more restrained and decorous for a time." Providence appealed against the decision of this court, and its decree was never executed—at some period, Mr. Dorr does not give the time, he says "Williams had desired at the beginning that this should be a place for distressed consciences; the offer if ever expedient was so no longer." When in the history of Rhode Island was a distressed conscience denied a domicile in this colony? Mr. Dorr's statement concerning the religious opinions or principles of the Familists are wholly false; he speaks of the examination of consciences for admission to the colony; Mr. Dorr says that Williams was a party to the act to divide to the Pawtuxet men the land west of the Pawtuxet river to Connecticut. There is not a word of the truth in the statement; he says the obtaining of the land by the Pawtuxet men saved the land to the Colony; he forgets the submission of 1644. He suggests the confiscation of the records of the First Baptist Church by Gregory Dexter, to cover his own actions; but he does not explain what Dexter did with the records from the time of his death about 1690 to 1770. Never with all my experience with Rhode Island books have I known anything so utterly bad as is this book—it might well require a book as large as itself to correct its blunders—but worst of all it is wholly wrong in spirit. One would think from the continuous

brawls here, that there never before existed so disorderly people—but he fails to take notice of the fact that William Harris was the central figure in all these affairs.

Mr. C. A. Selden, of *The News*, has gathered the *Andrews Controversy* into a neat pamphlet (price 25 cents). It is a compilation of the several Letters, Memorials and Protests relative to the recent action of the Brown Corporation, together with statistics showing the growth of the University from 1889 to 1897. The pamphlet is the work of *The Franklin Press*, 63 Washington St.

In this connection it is proper to note an interview given by Judge Durfee to the *Journal* on the 9th inst. Some new light is thrown upon the subject. The statement given to President Andrews by the Committee of the Corporation which has been almost universally condemned, was written by Judge Durfee; it was written before the meeting of the Committee with Dr. Andrews, and hence was a work of deliberate consideration.

The views on silver attributed to the President are alleged to be "so contrary to the views of the friends of the University" that these "friends" have withheld that pecuniary help without which the University must cease to exist. Those friends of the University are hence the rich; the Boston *Herald* states that the trustees in themselves represent more than thirty millions of dollars; these men then believe that their pecuniary interests would be injured by restoring silver, as part of the actual metal money of the country. The other party mentioned in the statement is the "Public." It is especially pointed out that the promulgation of views urging the restoration of silver "will appeal most strongly to the passions and prejudices of the public." Then the pecuniary interests of the

friends of the University (the rich) are not the pecuniary interests of the public (the poor) and a discussion of these interests will inflame the latter, hence, President Andrews "please forbear." And this Judge Durfee says in his interview is what his critics call "pandering to the rich." Well what is it?

Judge Durfee does not appear to have improved the situation by this interview; but he was not fairly used by those members of the Corporation who began the outbreak—they left him in his unenviable position.

A correspondent, led no doubt, by a paragraph in a recent BOOK NOTE, which read "I bought a peck of potatoes for 35 cents which amounts to \$3.85 per barrel" addresses the writer this note "How many pecks are there in a barrel of potatoes; does not a barrel hold two bushels and a half? That depends, my young friend—when you raise the potatoes and sell them by the barrel, the barrel contains two and a half bushels—when you sell them only by the peck you get eleven peck measures—SAVEZ.

A fine illustration of modern journalism is given by the *Journal*. Editorially this paper says "the eminent representations of the cause of bimetalism are practically stranded in London; they received what amounted to a final notice in Tuesday's *News* from the Government that the hope of re-opening Indian mints was futile." This surely is a curious way by which a Government communicates—with ambassadors sent by another country, but on another page of the same *Journal* has this startling heading—*Revolt Spreading—The Whole Northern Frontier in Arms*. These people have been robbed of everything by the demonetization of silver, by the British Government. It may be the beginning of an Indian

mutiny, compared to which that of 1857 would have been a torchlight procession. But *don't* open the silver mints—that wouldn't be restoration, it would be repudiation.

It is almost cruel, still we must. The *Journal* of the 29th of June, said editorially, "The fall of two cents in July wheat yesterday, put the finishing touches to the tale of a great corner in the option; the story was a well rounded and widely attested one, but with all its plausibility was only a large attempt to create an interest in the market." September wheat was 72 cents, December, 73 cents.

The newspaper boom in business is little more than a sham. The newspaper talk about the speculations in wheat, is enough to shock the moral sense of men. These speculators increase the cost of bread to every working man in this country. Now where are wages—are the poor growing richer, Mr. Wright.

The government of the city of Fall River has been for years in the hands of the "protected" mill "owners." Nothing more corrupt has yet been seen in New England. Beginning with the trusted financial managers of these mills, whose names BOOK NOTES will not here recall, the rottenness has permeated the entire municipality. Sodom and Gomorrah were immaculate purity in comparison—retribution must and will come, and when it comes it will strike hard.

If the *Journal's* statements concerning the Emma Goldman case, are as truthful as its utterances concerning President Andrews were, they are indeed fine illustrations of journalistic mendacity.

Balzac's novels in the original French are sold at 25 cents per volume, say \$10.00 for the set. Translated into

English, and published in the United States, the price asked for the Wormley edition is \$5.00 per volume, or \$200.00 for the set. That is simply giving away books.

The insolence of the bicycle nuisance is every day more and more manifest. A friend of BOOK NOTES, driving his horse and carriage along a Greenwich road, was accosted by one of those road-rowdys with, "Didn't you hear my bell—why in h—l didn't you get out of the road?" This from a boy riding up behind. This week, on Pine street, in this city, Mr. George W. Gladding, 80 years of age, was run down and severely hurt by one of these irresponsible road-rowdys. The idea that a large boy can, by ringing a small bell, order you to clear the road to him is preposterous.

If it would not be improper, BOOK NOTES would suggest to the Hon. S. W. K. Allen, now engaged in the preparation of a constitution such as the distinguished gentleman thinks would be proper for the people of Rhode Island to obey—an amendment to Sec. 2, Art. 4, in the matter of the form of the Enacting Clause to Statutes. It is not new to BOOK NOTES, but is taken from the Choctaw Statutes. We now have "It is enacted by the General Assembly as follows:" Let it be changed—"It is enacted by the warriors and chiefs of the General Assembly as follows."

Have you read how designing rascals, in league with the Massachusetts General Assembly, have made laws whereby the Massachusetts Benefit (?) Life Insurance Co. robbed the people of millions of money? Similar systems are being followed here in Rhode Island.

Either take the "revolvers" away from the police or teach the police how to use the weapon. The police cannot hit the mark with any more certainty than the editors of the *Journal* hit it.

The mill workers in Olneyville, getting in wages from \$5 00 to \$9 00 for sixty hours of labor, must look with much happy contentment to the gift by a law of congress to their employer, of \$1,500,000, for which the said employer never was obliged to labor a single minute. Economy is the source of wealth.

There are members of the Rhode Island bar who, as men, deserve honor and respect; on the other hand there are lots of other members for whom one can have only contempt; they are in every respect a bad lot. In the hands of such creatures, the law, which was made for our safety and protection, becomes a menace and a danger. More than one-half the law suits instituted are fraudulent, and in themselves crimes, and yet there seems to be no way in which these shystering "lawyers" can be punished, because other lawyers cannot be induced to bring actions against their brothers. Exposure of the methods used, and the men who use them might help matters.

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Which is the greater menace to this government,—a speech by Emma Goldman, which the *Journal* falsely prints, and then in holy horror denounces, or a law giving \$1,500,000 (of which the owners of the *Journal* take advantage) taken from the wage earners of these United States, and giving it to foreign owners of a manufacturing corporation.

Whether you like or dislike BOOK NOTES for the plain truth which it gives to you, is a matter of not the slightest concern to the writer—when you exempt a person like Prof. John Howard Appleton from taxation, at the same time levying upon his poor starving tenants for every cent which you can find in their possession, you outrage common justice, no honorable high-minded man could accept and take advantage of such a wrong.

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SATURDAY, Oct. 2, 1897.

VOL. 14.
No. 20.

Are We to Be Made Slaves of Taxation?

There is at present a widespread discontent in relation to the methods and results of municipal taxation—those of us who are poor and who think, both feel and see the unjust proportion of this tax which is laid upon us. Poor men make no effort to escape, they simply work, and work, and pay; day by day they undergo their daily grind; and day by day they see the very rich, who were made very rich solely by the labors of the very poor, leaving Providence when the tax rate nearly reaches \$1.75 to take their domicile to Warwick or Barrington, or some other contiguous town where the tax rate is 50 cents or thereabouts. Very rich men living here are said to make trades with the assessors of taxes in country towns in order to escape their just dues here. As a matter of fact, there is absolutely no limit to the extent to which men will go in order to throw their burdens upon the very poor, and this, too, whether done legally or illegally. There is no epithet mean enough with which to characterize the tax laws of Rhode Island. Recently there came to the writer the knowledge of the exemption of certain properties from taxation, to wit, the personal property of

Rhode Island business corporations, which was quite new to him. In order to be precisely accurate, BOOK NOTES addressed the city tax assessors for information, and in reply received the following note. Permission to print this note the assessors kindly gave the writer.

CITY HALL, Sept. 11, 1897.

SIDNEY S. RIDER, ESQ.

Dear Sir:—In reply to yours of the 7th inst., we have to say that no personal property can, in this state, be taxed to an incorporated company of this state, having a capital stock divided into shares, except such specific kinds thereof as are mentioned in Chap. 45, Sec. 11, of the General Laws of Rhode Island.

This construction of the law, which had for many years been followed by the Assessors of this city, was in 1886 affirmed by the Supreme Court in a decision rendered in the case DUNNELL Mfg. Co. vs. Newell, which decision is reported in Vol. 15 of Rhode Island Reports. A similar decision was rendered in 1895 in the case RUMFORD Chemical Works vs. Ray, reported in Index RR, to be published in Vol. 19 of R. I. Reports.

The section above referred to does not mention or cover stocks of goods

in stores. As to request for name of the solicitor upon whose opinion the assessors rest in this matter, we have to say that, while the city solicitor is our legal advisor, the law has appeared to us to be so clear that no opinion upon the point has ever been requested by this board. Very truly yours,

ARTHUR H. ARMINGTON,

Secretary.

The office of a tax assessor, is, at its best a thankless one—poor men seldom trouble them; but the rich men assail both the assessors and the General Assembly upon every side, to cajole, or to coerce them into giving them (the rich) exemption from bearing their just part in the general expenses—their entire purpose is to throw their tax upon the other fellow. It is not my present purpose to discuss in a general way this terrible system, but to confine the ^{present} note to one specific form, that which is mentioned in the assessors' letter, to wit: "the exemption of the personal property of incorporated companies of this state." BOOK NOTES will impute blame to no one; especially not upon the city assessors; but as a taxed citizen, a "miserly tax payer" as the *Journal* not long since called us, it is my right, in fact my duty, to know and to discuss the matter, however and whenever I see fit; neither is exemption asked, nor apology offered—simply we are tired of being "legally" or otherwise robbed in order that other men may grow richer by our further impoverishment. We could not now, if we desired, give the aggregate number of our fellow citizens transacting business under charters of incorporation. The purpose of these charters is twofold—the first purpose is for the individual to scoop in the profits of a business, and escape personal liability for the payment of the debts of the business—the second purpose is to escape the payment of the taxes. An in-

dividual is unlimited to possess but limited in the amount which he can be made to pay. These corporations actually hold vast amounts of property untaxed. Look at such injustice—a woolen manufacturing company may hold \$3,000,000 in wool, with not a cent of tax, while the widow of the late Judge Staples was taxed \$10,500 on her home, and which sold for only \$4050. Now as men ought we not to take cognizance of such a wrong? The first question which you will ask is how such a condition is possible? BOOK NOTES will answer that it comes from the terrible laws which the General Assembly has enacted, and from judicial decisions under those awful statutes. Concerning this exemption of corporate personal property the tax assessors say: "It had for many years been followed by them" and "it was affirmed in 1886 by the Supreme Court in the case Dannel Mfg. Co., vs. Newell." This decision was in a case brought to recover taxes alleged to have been illegally assessed by the town of Pawtucket, (R. I. Rep. V 15 p. 223). Let me set forth some of the points; "the corporation contended that the assessments were invalid because it was not taxable for personal estate generally, but only for machinery." The court held that "our statutes do not in terms limit the taxation of the personal estate of manufacturing corporations to machinery; but they provide for the taxation of corporate shares to the owners, unless the corporation is taxed for an amount equal to the full value of its property." * * * "They (the statutes) authorize the assessors to call upon any corporation in the state for the amount and par value of the stock of any stockholder assessable by them * * * and direct that stockholders shall be taxed" upon certain differences easily to be discovered. The court, citing Pub. Stat. Chap. 43, Sec. 11, 12, proceeds: "It is argued

that the *implication* from these provisions is, that manufacturing corporations are taxable only for real estate and machinery; for if they were taxable generally for both real estate and machinery the result would be that the excess over real estate and machinery would be subject to a double taxation, and statutes are not to be construed as calling for a double taxation unless such construction is unavoidable. We think the argument is valid as applied to business corporations having capital owned in shares, unless they happen to have personal estate, besides machinery, which is locally taxable under Chap. 42, Sec. 11, Pub. Stat." It is upon this part of the decision that our assessors rest, hence it will be unnecessary to quote other portions of it.

Let us discuss the principles claimed to be evolved from this decision. The court said that "statutes were not to be construed calling for double taxation unless unavoidable;" but are statutes to be construed by *implication* to be no taxation upon millions of property held here? The constitution declares that "the burdens of the state ought to be fairly distributed among its citizens." Are the burdens of the state *fairly* distributed in the cases of the National Worsted Mills and the widow of Judge Staples, as above suggested? The legal meaning of the term *implication* is "an inference of something not directly declared." Had the General Assembly directly declared that personal property in the possession of individuals should be taxed, while personal property in the possession of Rhode Island corporations should be exempt, would such a statute be held by the court to be within the bounds of the constitution? Where would be the equality, the court having decided that a corporation was an individual? Can the General Assembly constitutionally exempt an individual merchant in Providence from taxation for municipal expenses? It

certainly cannot. If the General Assembly cannot lawfully exempt an individual, can it legally exempt an individual corporation? Can the supreme court, by *implication*, in the construction of a statute give to it powers not plainly expressed in the statute, and which would, had such powers been expressed, render the statute a clear violation of the constitution?

The idea, entertained as I believe by the assessors and by some others that the constitution imposes no restraint upon the General Assembly, is as we think, erroneous—besides there is the *lex non scripta* sometimes more vital than a written statute.

If anybody can give a valid reason why the stock in trade of the Rowland Rose company should not be taxed, nor indeed the shares in the Corporation, Book Notes would like to see that reason; and yet under this decision millions of dollars of merchandise held here by just such "corporations" go entirely untaxed while your home, and mine, is loaded heavier, and heavier, year by year.

But the results reached appear to be not warranted by this decision. The court decided in favor of the Dunnell Co. upon a technical carelessness on the part of the Pawtucket assessors in their method of assessment, and being unable to separate that which was valid from that which was invalid, set the whole levy aside. "The spirit of the decision was that property should not be *doubly* taxed, but that property *should be* taxed. The law was certainly confusing, but the court held that "the supposition that it was intended that the assessors should be at liberty to tax corporations for their entire property, or not, according to their own option, regardless of any rule or system, is still less satisfactory and yet that is the only alternative." That does not mean that assessors are at liberty "not to tax," on the contrary, they are bound

to tax. The question of system should be clearly defined and understood—to tax at one point, men and not property, and at another point, property and not men, does not seem to be a proper system. As a personal property taxpayer a citizen cannot be taxed for his debts; but as a real estate taxpayer a citizen is taxed for his property *and his debts*. If nothing more has herein been shown it certainly has been shown that a radical overhauling of the tax laws should be at once entered upon, not in the interest of the further aggrandizement of the very rich, but in the equitable interest of all men, give to us equal rights before all laws. The assessors should proceed upon the presumption that they are in office to levy taxes on property and then let the questions go again before the court. A proposition is actually under consideration to tax bicycles—it is absurd. Let the personal property of those great corporations be levied upon and no other resource will be required.

One of the curious developments in periodical literature in recent times is the publication of miniature magazines or periodicals, of which BOOK NOTES is a type, and probably the first of its species. One of the most effective of these publications is *The Philistine*, published at East Aurora, N. Y. It sends us a clipping, to wit: "The obituary columns record the death of three of those little fad magazinelets during the past month. They either ran out of ideas, or cash, or both, and just withered away. Out of the whole *grasshopper* visitation only one of them seems to supply a want and that is *The Philistine*."

Singularly enough one of these little periodicals published here is *The Grasshopper*. But if you wish about the brightest, keenest (always saving BOOK NOTES) collection of paragraphs which you ever read invest ten cents for the

October *Philistine*, and you will be a wiser, if not a better man.

BOOK NOTES puffs neither medicines nor anything else, but in case you are afflicted with that miserable malady, hay fever, buy Hyomei, with the inhaler which goes with it, and you will get relief. It has served one afflicted member of the writer's family most effectively. This is not a paid adv.—we bought the remedy and this note is simply to pass along the relief we find to some other suffering mortal.

The very great value of developing the human chest, by cultivating the human voice in vocal music—is a fact well understood by some, but not by all people—not only will good health be obtained, but a positively delightful evening pleasure for our families. In this note the leading purpose was to tell all my friends that Prof. Joseph Hastings, Jr., a most faithful and most accomplished teacher of vocal music, has resumed the practice of his profession at 101 Broadway in this city. Prof. Hastings has applied with excellent results the training which he underwent in the medical and surgical schools at Boston. BOOK NOTES commends most heartily this excellent teacher.

The *Nation* of the 23d of September, 1897 says, "Playing tricks with the coinage by altering its legal value, or by adulterating it, was the favorite mode of escape from financial difficulties with all European States, except" etc. That is precisely the effect of the trick with the coinage done in 1873 by the United States, it made the poor, poorer, it made the rich, richer, and while it lasts it will continue to do just that, until the poor will become permanently slaves; Restoration is not Repudiation.

Julia Magruder is a very clever writer of stories. She has a capital specimen

just now running through the *Woman's Home Companion*. By the way this periodical is rapidly developing into something excellent. It is only fifty cents a year. Short fiction by well known and justly approved writers, is a marked feature in its recent issues.

The October *Century* describes the 2,7000 acres of land in New Hampshire of which Austin Corbin died in possession and which, instead of using for the support of men, had been given up to wild animals.

The October number of the *American Monthly Review of Reviews* reproduces a large number of striking cartoons, both American and foreign, adding suggestive editorial comments. This department of the *Review* forms a really valuable chapter, each month of "Current History in Caricature."

The *New England Magazine* has a local coloring which is delightful.

The result of the war in the South was the freeing of lots of *black* slaves, and in the North of making a lot of *white* slaves.

Good morning! Are you subscribing for \$200.00 sets of Balzac's novels to-day?

Every cent that silver declines a poor man becomes poorer.

The editor of the *Journal*, in case the paper has an editor, said in the issue of Sept. 22: "Conservative persons *who have property* speak in approval" of the court injunctions against laborers. That is the key note of this paper's existence. It stands for the rights of money, and against the rights of those whose labors earn the money, every time. It fought persistently and despicably in favor of muzzling teachers in institutions of learning—and lost—just as it ought to have lost.

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SATURDAY, Oct. 16, 1897.

VOL. 14.
No. 21.

The Oppression of Taxation in Providence.

BOOK NOTES makes no apology for again coming to the question of personal taxation; but before touching it, BOOK NOTES rises to a personal question. Some one remarked concerning the former note that there was a little too much of the demagogue in it. The meaning of demagogue is a "a leader of the rabble; one who attempts to control men by specious or deceitful arts; an unprincipled mob orator or political leader." Is it possible that the writer of these notes is the kind of a man pictured there?—let me proceed. "Demagogue" means "pandering to the multitude for selfish ends." Was that the purpose of the former note?—once more, "unprincipled political agitation, by one who seeks to obtain political power by pandering to the ignorance, or prejudice of men." Have I ever sought political powers? Are these notes addressed to the ignorance of men, or to their intelligence? Those are the questions for my friend, who is now, always has been, and will forever be—seeking to acquire political power—calling me a demagogue, or an anarchist, or a communist or his satanic majesty, will never answer the argument, nor scare me from the pursuit of my purpose.

Let us return to the question of the exemption of mercantile or any other corporations from taxation. Why should Mr. H. Gregory's book stock be liable for taxation, while Preston & Rounds' go scot free? Why should the stocks of merchandise held by the J. B. Barnaby Company, the Boston and Providence Clothing Company and Talbot & Company be not taxed, while Philip Tally, and Macullar, Parker & Co. are taxed? Why should the stock of B. H. Gladding & Co. be held liable, while the stock of the Callender, McAuslan & Troup Company is untouched. Were you to buy the stock of the American Supply Company, you would not be taxed for it—unless perchance you dwelt in some Rhode Island town other than Providence, which is the home of the corporation; but if Mr. H. Gregory puts his money into books, which he kept in a store here, living meanwhile at Woonsocket, he would be forthwith taxed. Why should the John M. Dean Company, the Anthony & Cowell Company or the Flint Company be allowed to go untaxed—while in the same lines are Potter & Co., and Morlock & Bayer taxed to the uttermost. Is it fair to allow Dean, and Flint, and Anthony and Cowell, to defy the Assessors, while Everett Hallock and Franz Heidreck,

small furniture dealers, are each taxed on a stock of \$500. Why is the California Wine Co., on North Main street, taxed, and the Rowland Rose Company untouched? Of course you all know why. These singular questions might be enumerated without limit, but I content myself with one more illustration. If Mary Jones (widow) living at East Greenwich were to own one share of stock in the Providence National Bank, she would be taxed forthwith for it and the bank would hold back a sufficient portion of her dividend upon the share to pay the tax—but suppose Marshall Woods owned half the stock in the Providence Bank, no way is known to the Tax Assessor to discover the fact, and his shares go untaxed. Thus every holder of stock in any Providence Bank, and living in any town other than Providence, is taxed for the Providence expenditures, while the actual citizens of Providence, entitled to the protections of police, of firemen, and to all other municipal advantages, or disadvantages, of whatever kind, are exempt from taxation. Thus by a construction of the statute, sustained as the Assessors claim, by the decision of the Supreme Court in the Dunnell case, but which I deny, the tax on my house has been increased (30) thirty per cent., while the Callender, McAuslan Company running a book store in direct competition with Mr. Gregory's is untaxed. Is there any valid reason why such a condition should continue to exist; or is there any valid reason why any man simply because he is very rich, should be exempt? Are not my property rights of as much consequence to me as the property rights of Marshall Woods are to him. Why then do not we stand upon an equality before the law?

Are we indebted to the very poor, for the enactment of such statutes, and, am I a demagogue for suggesting the question? Listen,—there came a traveller unto a rich man, and the rich

man *spared from his own herd*, to dress for the wayfaring man, that was come unto him, *but took the poor man's lamb*; and David's anger was greatly kindled, and he said unto Nathan, as the Lord liveth, the man that did this thing shall surely die, and Nathan said unto David, *thou art the man*. Abstract reasoning has little value to the minds of ordinary men; we must come directly to the question; the quickest way in which to direct the attentions of men to existing wrongs, is to point out the wrongs; and point out the men who are profiting by the wrongs; not one of the men concerned in such schemes as are suggested above, can defend himself, or the schemes by which he "gets the better" of his neighbor. BOOK NOTES asks no apology for being personal, it has not been half as direct as Nathan. Now then come to consider the law. The Assessors say that "no personal property can, in this state, be taxed to an incorporated company of this state, having a capital stock divided into shares, except such specific kinds thereof as are mentioned in Chap. 54, Sec. 11, of the General Laws of Rhode Island."

There are no specific kinds of personal property exempted from taxation in the Section cited by the Assessors. Wholly contrary, the petition declares, in set phrase that the kind of personal property named in it "*shall be taxed*," but "taxed to the owner in the town where they "picking, carding, spooling, drawing, spinning, and reeling frames, dressing and warping machines, looms, tools and machines of all sorts propelled by steam, or water power in any factory, or manufacturing establishment of any kind." Now, under that clause is the stock of merchandise held by the Callender, McAuslan Company exempted. But there is in fact no statute warranting such exemption; it is only by "*implication*" that such a meaning can be given to the statute. Even with the narrow space at my com-

mand I must give you the statute. (Gen. Laws. Chap. 45, Sec. 10) "Personal property for the purposes of taxation shall be deemed to include all goods, chattels, debts due from solvent persons, money and effects wherever they may be, all ships and vessels at home, or abroad; all public stocks and securities, except those issued by the Government of the United States; all stocks, or shares in any bank or banking association; in any turnpike, bridge, or other corporation within, or without the state, except such as are exempt from taxation by the laws of the state, provided that no shareholder shall be liable to taxation for shares held in any corporation within this state which in its corporate capacity is taxed within the state for an amount equal to the value of its property." Under these statutes came the case Dunnell Company vs Newell. In its decision the court held that "*our statutes do not in terms limit the taxation of the personal estate of manufacturing corporations to machinery; but they provide for the taxation of corporate shares to the owners, unless the corporation is taxed for an amount equal to the full value of its property.*" The court further held that "the statute authorizes the Assessors to call upon any corporation in the state for the amount and par value of the the stock of any stockholder assessable by them * * and direct that stockholders shall be taxed" upon certain differences easily to be discovered. The decision proceeds. "It is argued that the "*implication*" from these provisions is that manufacturing corporations are taxable only for real estate and machinery." The provisions were those above mentioned. The argument by "*implication*" was for the plaintiff; it has no greater force, nor strength, than the argument of "*presumption*" would have had for the defendant. The *presumption* from the law, must be, that corporate shares *must be taxed*. Upon

what foundation rests the doctrine of the reconstruction of statutes by implication. It certainly appears to be dangerous under a Constitutional system. It is neither more nor less logical than was the doctrine of constructive treason which Erskine smashed before Lord Mansfield in 1790. Then continues the decision. "We think the argument is valid as applied to business corporations having capital owned in shares *unless they happen to have personal estate* besides machinery, which is locally taxable." It cannot be maintained under this decision that the Dunnell Company could not be taxed for the personal property it held. "It is *argued*," the court said, but the court *did not* so decide. The court did not decide that the Preston & Rounds company was a manufacturing corporation and taxable only for real estate and machinery. But declared that which the statute demanded, taxation of all shares to the owners, unless the corporation was itself taxed for full value of its property. And the court specifically held that personal property *must be taxed*. The court said, let me repeat it, "The argument is valid as applied to business corporations having capital owned in shares unless they happen to have personal estate besides machinery which is locally taxable." Is the Callender, McAuslan Company a manufacturing corporation—is the stock held in shares—has it personal property which is not machinery, and has its personal property been legally exempted—these are the vital questions. Nevertheless it is taxed only on its machinery! Even if my reasoning is at fault, my case is not lost, on the contrary, it is won. I have endeavored to show that the remedy lies within the law, and under the decision of the court. If I have failed, I have diagnosed the disease, and the people will awake, and apply the legal remedy. There can be no such word as "fail" in a cause so

vital. *I believe* that the remedying lies in the hands of the Tax Assessors. The Assessors should consult with Mr. Francis W. Colwell, for he is their legal adviser.

A bicycle was stolen from the rear hall way of the English and Classical school, on Moulton street, last week. It was a Stearns Special, No. 43700, with Palmer tires; Brown racing saddle; ram's horn handle bars; lantern bracket on the head; Winner toe clips. Any information which will assist in the recovery of this wheel will be handsomely rewarded.

The Society of Colonial Dames, the Rhode Island chapter, has just printed its *First Record Book*. It is brought down to the 31st of August, 1896. The book is the finest specimen of this kind of work which has yet been produced here. The Society has numbered 66 members. It now numbers 65; one name has become "starred" which means that Margaret Rood Hazard now dwells among the stars. The names of two well known Rhode Island women are specially identified with the publication of this beautiful book of genealogy. Mrs. Belinda O. H. Wilbour, (Mrs. Joshua) and Mrs. Jennie L. Weeden, (Mrs. W. B.)

Maine Volunteers in the War of the Rebellion.—Adjutant General's Reports for the year 1861, 1862, 1863 Supt. 1863, 1864-5, and the alphabetical Index of all the Maine Volunteers mustered into the service of the United States during the war, in all 7 vols. Augusta 1861-1867. \$75.00. A good complete set is on sale at BOOK NOTES shop.

The issue of the October *Atlantic* was the Fortieth anniversary issue of this admirable magazine. The number is in every respect excellent. The most suggestive article to BOOK NOTES is that by

H. D. Sedgwick, Jr. the title of which is "Gabriel d'Annunzio and *Decadent* Literature." A review of the literary career of the most brilliant of the Italian novelists and of the theory that he stands for. Those who are familiar with literature may remember the publication in London in 1750, of a novel bearing the title "Memoirs of F. H. a Woman of Pleasure." This dreadful book was favorably reviewed in the *Monthly Review*, a periodical ranking like the *Atlantic*, in the first class; now the sale of this book lies under the ban of the criminal law in every civilized country where the English language is used; the writer of this obscene book was given a pension of a hundred pounds sterling annually for life, conditioned upon his not writing any more such immoral books. BOOK NOTES thinks it would be well to pension D'Annunzio, there is too much of what the *Atlantic* calls "decadent," literature now published. BOOK NOTES thinks "putrescent" is the more correct term to describe it.

Mr. John O. Austin has recently published a *Roger Williams Calendar*. It is a twelve mo volume, each page dated and bearing an extract from some writing of Williams. Many of these extracts possess wonderful pungency, and Mr. Austin well says "When you become acquainted with the character and work of Roger Williams through his writings, you will ever be his loving admirer." It is the truth. In his preface, Mr. Austin accepts the English descent of Williams, as every educated man must, and describes him as "Always the same simple hearted but large minded man, resolute for the right, but fair always to deferring consciences" and he claims that "in these fragments we can all see how nobly he stood—one of the grandest figures in the history of the race." It is the truth. In these fine sentences, Mr. Austin, a Quaker

has shown how a *friend* can admire the writer of *George Fox digged from his Burrows*; and but a short time since Mr. Straus, a Jew, has shown in his *Life of Williams*, how a Jew can admire the man who wrote the paragraph connecting Jews with Turks, and Papists. It is needless for the writer to say that in these things he is among friends. Mr. Austin sells his book at \$5.00 per copy, post paid.

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these egg cases cannot be marked, the date of their coming here, so that when we buy eggs "strictly fresh" they may have lain a year in the cold storage, bought at the low prices, and held for the extortion from us of the high prices; they are held in order to make the markets scarcer and dearer and poorer—and this mainly by a Rhode Island corporation which *pays no tax* while engaged in legally scooping our wages. Will the *Journal* please defend it.

Under this decree of the court, the stamping of packing cases with letters, and figures, thus, P 92687, was enjoined on the ground that injury resulted to the packages; suppose we apply this doctrine to letters, sent by post. Do the date stamps placed upon letters, by the post office department injure the letters; on the contrary, does not the post office official thus place in our hand the evidence of his own inattention to his duty; does not the stamping of a date on egg boxes give us some idea of the antiquity of "strictly fresh" eggs?

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SATURDAY, Oct. 30, 1897.

VOL. 14.
No. 22.

The Very Rich in Providence Made Richer and the Very Poor Made Poorer by the Assessors of Taxes.

The strong hold upon men which the former articles in BOOK NOTES, on the terrible condition into which the method of assessing taxes here has fallen, induces the writer to again handle the subject. Both candidates for the office of Mayor, election for which is now pending, have spoken to the question, which is proof to the writer, that politicians have observed the awakening of men, which has been the sole purpose of BOOK NOTES. The English language well handled is a terrible weapon, it can set in motion all other weapons, or put them to sleep at will. Let me again come to the subject. No man will dare confront me, when I tell him that the law requires equal taxation upon all the property of each individual. It does not mean to tax Sidney Rider for every cent, while William Grosvenor is given exemption upon millions; and yet that is just the condition into which we have drifted. One may be justified in holding the opinion, that as the number of inhabitants increase in a city, and the aggregate amount of property held by these men, in a greater rate also increases, the rate

of taxation would be lowered; but on the contrary, the greater the number of men to be taxed, and the greater the amount of property to be taxed, the greater the rate of taxation. Is there never to be a limit to this business?

The tax upon the unfortunate owner of his own cottage, feels the burdens laid upon him grows heavier and heavier, year by year; his voice is pitched upon too low a key to ever reach an assessor's ear—he is helpless; he is powerless. One year, the tax value of his cottage is raised, and then, another year the rate. Again the value is increased, and then the rate and so on hitch upon hitch until we are where we are. Will men never wake up—are all white men slaves? Look at the results. The cottager is at last forced to sell his home, and here are some recent specimens of what actually happened. An estate on South Main Street owned I have been told by B. N. Lapham sold for \$2,400, it was taxed \$4,700. An estate on Fountain Street owned by the late J. Albert Monroe sold for \$3,160, it was taxed \$4,100. An estate owned by the late James C. Bucklin on Clifford Street sold for \$6,200, it was taxed \$8,200. An estate owned by the widow of Chief Justice Staples on Benefit Street sold for \$4,050 it was taxed on \$10,500. An

estate left by the late W. R. Huston on Benefit Street sold for about \$19,500, it taxed on a valuation of \$28,000. For some of these items I am indebted to the heirs of the properties. Now is there to be no end to such a system. To be within bounds, in my last article, it was stated that the amount of tax upon our own home had been increased thirty (30) per cent—the actual increase was (33 1-3) thirty-three and one-third per cent. Compare these figures with the land valuations for taxing purposes placed upon the vast acres held by Grosvenor, and Eaton, and Bradley and the Bailey estates—land taxed for years upon a valuation of a cent and a quarter a foot—then go and try to buy a house lot of Grosvenor for 30 cents a foot and see how far you will get. Clearly these things must come to an end.

In the last paper, attention was called to the discriminations made by the Assessors in favor of individuals doing business under the Corporation laws; exemption being given to such men, while other men doing business in the same lines as individuals; not incorporated, were taxed. In acting so the Assessors believe that they were acting in obedience to the law, as the law was interpreted by the Supreme Court, in the case, *Dunnell vs. Newell*. But the writer insists that the Assessors are in error, neither the law nor the decision can be wrenched into a support for the conditions now existing. But if the Assessors are correct and I am in error, then the Assessors must agree with me, that a remedy, other than themselves, must be found. Bear with me a moment while I suggest, the Laws; Chap. 44, Sec. 2, reads "the following property and no other shall be exempt from taxation." There is no mention in this law of shares in corporations, nor of stocks of merchandise, nor of personal property, nor wool, nor cotton nor of anything which is exempt, and yet the assessors exempt all

such things. It is neither in accordance with the Statute nor is it fair to other men. Again, I suggest the law, Chap. 45, Sec. 10; "Personal property for the purpose of taxation shall be deemed to include all goods * * all vessels * * all stocks, or shares in any bank or banking association * * but no individual shall be liable to taxation for shares held in any corporation within this state, which in its *corporate capacity* is taxed within this state for an amount equal to the value of its property."

There can be no presumption as to the meaning of these laws, they are plain and simple, they are not to be overthrown by implication, the *implication* must fail. Nevertheless never a cent of tax is laid upon any bank in Providence in its corporate capacity; but the poor devil who owns a share and who lives in Rehoboth or Attleboro is taxed, while neither the banks nor the very rich Providence owners are taxed a cent—is that fair, or is it in accordance with the law? Most certainly it is not, but the Assessors will not listen. In Providence there is \$20,792,000 of such property which the law says *shall be taxed*, but which *is not taxed*. On the contrary, in order to relieve those owners, your house and my house is pounced upon. The State levies a tax of forty (40) cents on each hundred dollars of the deposits in the savings banks and trust companies, and such deposits are not touched here. There is in Providence of such property \$56,995,000. Many rich men hold large sums in these institutions for the sake of escaping taxation. The largest depositor in the Citizens' Savings Bank has there, \$70,088, he thus pays \$1 on each thousand, while you and I, poor devils, pay \$16.50 on every thousand—four times as much as the other fellow. In the Mechanics the largest is \$10,000; in the Providence Institution, \$7,816; in the City, \$10,607; in the People's, \$9,180; in the Industrial,

\$59,380; in the Rhode Island, \$61,567; in the Union, \$18,908. These are only the largest specimens; there may be a hundred other such men with ten cents less in their balances.

The laws have been so manipulated, of course by the solicitations of the very poor, that the very rich largely escape. A rich woman dies. The law requires *no inventory* of her estate, this was done in order to prevent the Assessors from discovering the enormous property which she owned; the law directs cashiers of banks to furnish the assessors with "a list of all stockholders *not residing* within this state." The law says "the Assessors *may* (not must) require of any corporation a return of the amount and par value of the stock owned in such corporation by any stockholders residing in the town represented by such Assessors, *the name of such stockholder being specified in writing.*" The useless absurdity of such a provision is manifest; the remedy is to tax the entire corporation in its corporate capacity and stop quibbling. Here is an instance, the Weybosset Bank is taxed on real estate, \$6660, but not one cent upon its capital, \$500,000. Suppose that the shareholders had entered into a co-partnership in the book selling business, would the assessors have exempted them. Most certainly not. It is really a fair question to lay before the Supreme court, whether a tax levy on the lines indicated in this paper is legally levied or can be legally collected.

Dr. George F. Keene, prison physician at Howard, R. I. has written a paper in two parts, which was printed in the Atlantic Medical Weekly for the 16th and 23d of October on *Serum Therapy*. This word Therapy means precisely the same as Therapeutics, which means neither more nor less than the proper application of remedies to the curing of diseases. *Serum* means a yellowish-green fluid which separates

from blood, when blood coagulates. From serum is made *Antitoxin*, that is an antidote to poison, and it is chiefly to set forth the results in his practice at the State Institution, in the injection of Antitoxin in cases of Diphtheria. There were thirty-five cases. The result justified Dr. Keene in his strong belief in the value of the remedy. But Dr. Keene goes further, he believes in the value of Antitoxin as a preventive, in fact, while he does not say as much, I think Dr. Keene believes in its qualities of "immunization" almost as strongly as in vaccination against small pox. As a matter of fact diphtheria seems to have been banished from Sockanosset. These results obtained by Dr. Keene deserve the attention of those in control of large collections of young children everywhere.

In case you would like to dip from time to time into a delightful spring of literature undefiled I suppose you try the Diary of Caroline Fox. The lady will introduce you to many of the choicest spirits in English Literature during the middle of this century.

Can there be anything more charming in its description of books to read—it was a letter from Dorothy Wordsworth to Coleridge

* * * Yes, do you send me a book for my birthday. Not a bargain book, bought from a haberdasher, but a beautiful book, a book to caress—peculiar, distinctive, individual: a book that hath first caught your eye and then pleased your fancy, written by an author with a tender whim, all right out of his heart. We will read it together in the gloaming, and when the gathering dusk doth blur the pages, we'll sit with hearts too full for speech and think it over.

And these were among the intimate friends, (herself a Friend) of Caroline Fox.

The *Journal* says: "The Philadelphia Free Library has circulated more than

a million and a half books in the last twelve months; no one can estimate the good such an institution does in a community." For once Book Notes agrees with the *Journal*. According to the measure here in Rhode Island, one million three hundred thousand of these books were novels, the greater part of them wholly lacking in decent morality. Now Book Notes agrees with the virtuous editor of the *Journal* that *nobody can estimate the good done by reading this filth*.

The *Providence Journal of Commerce* for October devotes its entire self to a review of the origin, life and growth of the city of New Bedford. How complete the paper is Book NOTES cannot say, for it has never examined the city; but the history seems to be covered, and exceedingly well presented; there is no attempt at display in the composition; the plain and simple story is plainly and simply told, and copiously illustrated.

The November *Philistine* came last Friday, the biggest little thing that Book NOTES has ever seen. Every member of the editor's family has read the entire number aloud to all the other members, amidst roars of laughter, and heartily yelled "amens." It is acute, it is learned, and it is true. Possibly the News Company sells it, but whether it sells it or does not sell it, get it somehow, and you will have an intellectual frolic.

A decision was given by the full bench of the Massachusetts Supreme Court in a case, *Harnett vs. The Plumbers Supply Company of New England*. The decision is of the utmost importance to business men. The "Plumber's Association" was practically knocked into smithereens. The case rests upon other foundations than that of *Macauley Bros. vs. Tierney*, which was argued by

the Hon. Mr. Gorman in the Supreme Court of Rhode Island, and which he lost by an adverse decision. Book NOTES believes that this whole subject of boycotts will have to be re considered in the light of changing political conditions; law must be made law alike for both sides, that is the employed and employers. Courts are divided. The Massachusetts case not alone touches Master Plumbers, but it is a death blow to collection agencies and other such manipulators of business men's credits.

Mr. Edwin R. Gardiner, whose essays Book NOTES has oft times commended, comes with another essay. It is beautifully printed and bears the title *Enthusiasm in Work*. It sets forth the glories of the profession which Mr. Gardiner follows, Stenographer, official, of the Supreme court of Rhode Island. It is written in a bright and lively vein, and tells how the art assists the powers of thought; how the memory is made more tenacious; how rapidity in research is developed; how in fact in many ways the student is benefited by practicing it. Moreover Mr. Gardiner, perfected by years of patient practice, sees ways in which the sign language can be immensely quickened by the invention of amendments to the form now used and in the devising of forms for the grouping of phonetic phrases. The writer is not quite clear that he (the writer) fully understands the possibilities in this direction, for he never supposed that lightning was to be made to go quicker than lightning.

Mr. Althans keeps on Aborn st. one of the nicest pastry shops in Providence, but connected with it is a thing which is bad. Stale cakes are every day thrown into a barrel outside the shop, which is approachable from Snow st. A lot of small boys have discovered the barrel and taken a great liking for the cakes, and so they slyly steal in, grab a

cake and run. Now what is the difference between a training school for thieves and this arrangement. It would be very much cheaper and vastly better, for the city to pay Mr Althaus for the stale cakes and give them to the children, than to have the boys educated in the belief that they are stealing.

Mr. Charles T. Scott contributes to the New England magazine a "Chapter on Nom-de-Plumes," full of curious information about the pseudonyms of famous writers. There are excellent stories in the number, and there are some good poems, one of them, "The Pines at Intervale," by Frank Roe Batchelder, accompanied by a charming view in the Intervale woods.

Why not abandon the phrase "*nom de plume*" described as "London newspaper fanciful French," but in case you cannot abandon it *don't* write "*nom de plumes*" for that is not even "fanciful" French; it is a "blamed" poor specimen of neither French nor English.

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A literary paper of unusual importance in the November Atlantic is Forty Years of the Bacon-Shakespeare Folly by John Fiske. In assailing the Bacon-Shakespeare folly, Mr. Fiske makes an explanation of the rise and spread of this extraordinary literary delusion, tells what causes brought it about, upon what it has fed, and what it may lead to, with interesting literary and historical parallels.

The *Journal* is again screaming for help (that means more money) for the Olneyville Free Library. The gift of \$10,000, by Miss Waterman has been sunk in the building, upon which rests a very heavy mortgage, held by those who have claimed the credit of founding (foundering is a better word) this library.

There are land Lords in Providence who actually make a profit of 25 per cent. on the water supplied to their tenants. They take the water through a meter at the lowest discount rates, and charge to each tenant the city's retail rate for each faucet. Why does not the city stop this sponging—charging such landlords the full retail rate.

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THUS STANDS THE STATUTE.

"All Property Liable to Taxation
Shall be Assessed at its Full
and Fair Cash Value."

From the 1st day in January, 1890, to the 1st day in July, 1897, there were created in this state, 321 business corporations, with an aggregate capital amounting to \$171,862,000. The valuation for taxation of the city of Providence is \$174,000,000. These corporations are not all in this city, but a vast majority are here, and all are in Rhode Island. According to the construction by the assessors of the Supreme Court decision in the Dunnell case, at Pawtucket, not a dollar of personal property held by them can be legally taxed, nor is the stock of the corporators, in its corporate capacity, taxed. There is only one word in which to describe such a condition—it is preposterous. Ultimately the assessors will relieve every species of property held here—*save only our poor houses*. Why tax Lapham twice the amount which his house sold for, and let Grosvenor hold his land, wherewith to speculate upon his fellows, at one twentieth the price for which he sells it? Are not Lapham and Grosvenor entitled to be taxed equit-

ably by the assessors? Of course they are. The assessors are under no oath to perform the office with equity to parties—but the statute reads "all property liable to taxation shall be assessed at its full and fair cash value"—(Gen. Laws, Chap. 46, Sec. 3.) Now look at this Lapham and Grosvenor case—Lapham paid a tax of \$77.55 upon a piece of real estate which sold at the "full and fair cash value" of \$2400. Grosvenor may have paid \$3.45 on property held for sale at \$5000, and when sold by him brings him that money. Are the assessors taxing Grosvenor the entire "full and fair cash value" on lands, held merely to make somebody pay Grosvenor roundly for their necessity of using lands which he cannot use? The mere statement of the case is its own destruction. Neither the assessors nor any other man, can defend the situation, for the tenth part of a minute. The tax rate upon our homes could be reduced from \$16.50 to \$10.00 per thousand, yielding the same revenue, were the assessors to levy, as by law they are required to do, upon all property liable to taxation, the full and fair cash value of the same. I deny the correctness of the construction, by the assessors, of the decision of the Supreme Court in the Dunnell case. But even in case the

assessors are correct, it must be apparent to them that a change is imperative; people will not submit to go on another ten years upon that construction; either the law, or the decision, or the construction by the assessors, must be changed. I insist that a greater amount of property, which is liable to taxation, is exempted by the construction of the law by the assessors, than *their entire valuation* of the city, as it is now levied. Among the corporations chartered since January, 1890, in Providence, there were 51 chartered for the purpose of speculation on or in the holdings of land, as against the community. To these must be added all those created previous to 1890, making in the aggregate upwards of a hundred land corporations here preying upon the vitals of working men. One of these corporations, upon a paid-in capital of \$25,000, has paid back to its stockholders \$580,000, and holds lands yet taxed, at these low valuations, for \$300,000. Is it for the interest of us ordinary mortals to make laws, or permit such laws to be made, whereby two or three individuals can make such a raid as that upon the wages of labor; exactly where do the rights of property come in? So great is the control of lands becoming that new statutes of mortmain will soon be necessary. Real estate held by these corporations is taxed, but at valuations far below the "full and fair cash value" at which the properties are held; and when sales are made and mortgages taken the taxes cease. Intelligence and Integrity are quite as necessary to an assessor as to a bookseller; moreover, the assessor has a responsibility to the public; he has also a certain power over us which may be used to our cost, or to our profit; mind, I do not say that it is so used, but only that it may be. The presumption is, that the assessors try to do that which is right—but the truth is, that abuses have slowly developed; those abuses need acute treatment; are we to be held

in fear; we should know our rights, and have the courage to defend them; are we such pusillanimous cowards that we dare not defend our property rights? Arouse yourselves, men of Providence. Look once at these evils and they will vanish.

The New England Magazine for November has a paper written by Robert Grieve entitled "Esek Hopkins, the First Admiral of the American Navy." The chief objections to this title lie in the fact that there was no *American Navy*," and whatever navy there was, it had no rank of "Admiral" in it. Esek Hopkins was never an Admiral, but Mr. Grieve's paper is excellent; it sets forth the swindling robbery of the government by the Providence merchants, in the building of the Frigates here; men's time, and government ship timber was used; it was an immense robbery—akin to the *Gaspee* outrage, done by a mob of smugglers who also lived here in Providence.

Two hundred and sixty years ago in June last, the English picked their first strawberries upon their own fields, on Quinuncutt (Conanicut) island. On the first of November, Mrs. Florence Teel picked wild strawberries upon these same fields. The Indian strawberry pickers have departed forever, but the strawberry plant still yields to us its bounties. The Indian is extinct, and another race has come; the strawberry still lives and nothing equal to it has ever grown, at all events so Roger Williams wrote.

He who has made the flowers
Placed us on the Self-same sod,
He knows our reason for being
We are grass in the Garden of God.

Mr. C. H. Butman of Manchester, N. H., was sentenced on Nov. 5, by Judge Chase of the Supreme Court for "attempting to bribe the jury in the case B. vs. C. John S. Wendell, Jr., an accessory was also fined. In Rhode Is-

land we don't do things in that way. The Grand Jury was prevented by Attorney General Burbank assisted by Judge Wilbur, from inquiry into a case of alleged "manipulation" of the petit jury in a \$100,000 case. Instead of sending men to prison, we pay here, under an arbitration of members of the Bar, about \$3000 for doing such jobs.

He who rests in the belief that the laws afford adequate relief for wrongs, cherishes a fantasy; laws have been devised largely by designing men for selfish ends; men find themselves surrounded with a network of snares, these snares being "legal" the courts must necessarily uphold them, laws are weapons which in adroit hands can be wielded with great effect against you—but as a defence, or in the hands of weak, or ignorant, treacherous, lawyers—these laws are worthless; before you enter upon a suit at law—study the laws.

What does a physician really mean when he writes the cause of a person's death as "Phlegmonous abscess." Phlegmon is "an inflammation beneath the skin," "purulent inflammation of the cellular tissue"—An abscess is "a collection of purulent matter in any tissue or organ of the body."

The November, *American Monthly Review of Reviews* has an article on "Currency Reform" beginning:

"The so-called money power seems to have won a complete victory. There is no present prospect that free coinage of silver will be resumed in India, and still less that silver will have any new place in the monetary system of England."

Those are the identical convictions which the Slave Holders held when the Supreme Court gave the Dred Scot decision, by 8 out of a possible 9 Judges—Concerning the opening of the mints in

India, it is a mere question of time—the English Ministry nearly split already on the question, replied "at present" a most significant reservation. The greatest robbery of poor men this world has ever seen was the throwing away of one-half the actual money, whereby all values were measured—restoration will take place or something will break. The greatest crime ever done by the British Government was in the robbery of 300 millions of people of one-half their worldly wealth, by closing the Indian mints.

A few days since Mr. H. Gregory advertised the following books, at the prices annexed, *Daniel*, \$1.08 published price \$1.75; "*Princess of the Sea*," 80 cents, published price \$1.25; "*Sons of the old Dominion*" 98 cents, published price \$1.50; "*In Kedar's Tents*" 80 cents, published price \$1.25; "*Hunters Three*" \$1.00, published price \$2.00. These are all new and current books, and Mr. Gregory paid, or will pay, the *Journal's* advertising bill for making known this deplorable condition into which bookselling here has fallen. One of the causes frequently assigned for this condition is the competition of the dry goods shops. So I at once made a personal inspection of the book stock of the Callender Company. It was positively beneath contempt, considered as a book store. Not one of the books advertised by Mr. Gregory did it expose for sale. Nor did the entire stock of new books offered, merit the slightest notice. The entire cash value did not reach \$25.00. Among them was Howell's new book, published by Harper, for \$1.29, the price of which is \$1.75. The "system" is positively disgraceful on the part of the Callender Company. What has Mr. Gregory done, or the booksellers generally, that they should be punished in this unbusinesslike manner? The dry goods shops merely keep half a dozen books with which to

break down a legitimate and most useful business.

Mark Twain writes for the November *Century* a tribute to his fellow townsman, the late James Hammond Trumbull. Mr. Clemens relates the following anecdote:

Years ago, as I have been told, a widowed descendant of the Audubon family, in desperate need, sold a perfect copy of Audubon's "Birds" to a commercially minded scholar in America for a hundred dollars. The book was worth a thousand in the market. The scholar complimented himself upon his shrewd stroke of business. That was not Hammond Trumbull's style. After the war a lady in the far South wrote him that among the wreckage of her better days she had a book which some had told her was worth a hundred dollars, and had advised her to offer it to him; she added that she was very poor, and that if he would buy it at that price it would be a great favor to her. It was Eliot's Indian Bible. Trumbull answered that if it was a perfect copy it had an established market value, like a gold coin, and was worth a thousand dollars; that if she would send it to him he would examine it, and if it proved to be perfect he would sell it to the British Museum and forward the money to her. It did prove to be perfect, and she got her thousand dollars without delay and intact.

It is a very pretty story, but BOOK NOTES does not believe that there is a word of truth in it.

It is just a year now since the arrival of the McKinley boom in this city, and the *Telegram* gave us the glowing announcements of untruthful business men, consisting practically of predictions. The ugly truth which alone came from these utterances was that these men were lying prophets. An infamous tariff, the highest any nation in the

world ever groaned beneath, was put upon us. A government deficit of forty-two millions was the result of the first four months of its existence. Cotton cloth, blessed by the most "Scientific" protection ever devised, has fallen to 2 1-4 cents—the lowest price ever known. The only reason that a wages clip of 10 per cent. has not been ordered in Fall River is the fear of a "strike." The Brown & Sharpe Company, one of the very highest "protected" industries in the country, has reduced its labor one-tenth; the Iron Foundries are discharging men at the end of every succeeding week; the Dyerville cotton mill is to be closed indefinitely. Meanwhile, everything necessary to support the lives of laborers has risen in cost, wages alone have not been advanced, and yet men pretend to believe in the lasting endurance of such a government. A clip in the wages by the "British" Hosiery Company resulted in a costly strike, and this, too, after the company has profited by the outrageous wool tax placed upon up, so that the owners of the "British" Company might grow richer. It is useless to fret; retribution must and will come.

This nonsense has been going the rounds in the daily newspapers.

The following story proves what hardly needs proving that a man may handle books without being a scholar. It wasn't in the bookstall of a department store; it was a real book store; a book store, moreover, where you would expect to find salesmen who know books. A friend of mine went in the other day and asked for Pope's "Iliad." The salesman went away to look for it. Presently he returned with a book in his hand. "We haven't Pope's 'Iliad,'" he said, "but we have an 'Iliad.' It's by Homer though."

The book clerk was entirely correct, there is no such book as Pope's "Iliad."

But the writer of BOOK NOTES will

give you a genuine illustration of the province of a bookseller, which is a literal fact, concerning which he did himself play a part. A lady, in August last, came to me with an order for two German Books, to wit "Van Daell's *Traumereien*," and "Was der Mond erzehlt." The first I quickly found; it was published by D. C. Heath & Co. The latter I did not find and did not know, not being versed in the German bibliography. So I ordered both books from D. C. Heath & Co. The "*Traumereien*" came; but Heath & Co. informed me that the other book "is not our publication."

So, having again carefully examined the catalogues and not finding the title, we wrote to T. H. Castor & Co. for it. This firm was unable to supply it—they did not know it. In despair I then applied to the German teacher who had given my customer the order. He laughed (it was Prof. Nauck) tell them, he said, to look in "Bernhardt Andersou's *Bilderbuch ohne Bilder*. It was

Heath's own publication, and there indeed it was. Now, how much help would a clerk in the Callender Company's shop be able to give in such a case? Why, these excellent people in the dry goods line couldn't tell a Primer from a Trimmer, a Book from a Crook, a Novel from a Brothel—in fact, concerning the modern novel, in the latter case, there is not much difference.

The November *McClure* has the opening chapters in Mr. C. A. Dana's Reminiscences of Men and Events of the Civil War. In the November Ladies' *Home Journal* there is an account of the first Thanksgiving Dinner in New England, at Plymouth in 1621; the *menu* is given in the article.

Five cents in merchandise was the price the Peoria farmer received for fresh eggs in June last—these eggs having rested meanwhile in the cold storage houses, are now being sold to us at 35 cents per dozen.

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The Merrythought, or Wishbone Pastime.

For its Thanksgiving issue BOOK NOTES will consider for a moment the pleasing custom of Wishbone breaking or to speak more properly the breaking of the *Merrythought*. The word Wishbone is of quite modern origin. The word Merrythought is the old English name by which our ancestors spoke of the custom. Wishbone will be found in no Dictionary of the English Language earlier than about 1859. A writer inserts a question as to the origin of the word, in *Notes and Queries* in 1855. V. 5. Fst. ser. p. 54. There were several attempts, or suggestions, in answer, but they were quite inadequate; in some respects these writers muddled that which they attempted to clarify—they were blind guides. The response to *Notes and Queries* show that the word Wishbone was in use, in connection with the pastime in England before that time; but Webster in 1847, in compiling the then new Quarto, had not found the word. A note concerning the origin of the idea, and of the true old English word by which it was known may not be without interest. The earliest English writer to which we have found reference is Lawrence Echard, in 1671. Johnson,

in his Dictionary in 1755 first cited Echard, thus "Let him not be breaking *Merrythoughts* under the table with my cousin," and he defined the word thus. "A forked bone on the body of a fowl; so called because boys and girls pull in play at the two sides; the longest part broken off betokening priority of marriage." Johnson's idea appears to have been that the derivation of the word arose from the two words Merry and Thought, and that the suggestion came from the "play" or the "fun" connected with the breaking. This seems at first sight very trite but upon a closer search it will become profound.

Mr. Addison used the word in the *Spectator* (1710). He used it with reference to omens, thus "I have known the shooting of a star to spoil a night's rest; and have seen a man in love grow pale and lose his appetite upon the plucking of a "*Merrythought*." English philologists have suggested sundry origins for the word, but none are quite satisfactory. One of these gentlemen says that Johnson's definition was taken from the *British Apollo* 26 nov. 1708, but the writer was in error. Johnson, in (1755) took his definition from Bailey (1728); possibly Bailey might have followed the *British Apollo*.

An English writer, Mr. Solly, says

gested the derivation from an old English word *Meritot* which he cites from Chaucer, A. D. 1380 thus,

"What eyllith you some gay gerl God it wote,
Hath brought in you thus on the meritote."

This word "meritote" is defined in the earliest English Dictionaries. Blount in 1656, and Phillips in 1658, as "a sport used by children by swinging in bell ropes." This idea is exceedingly far fetched; it was suggested by the shape of the Merrythought bone when turned upside down, and suspended by the two ends—in appearance forming a swing, such as we now make with a rope. Such a fancy suggests as we think no true idea of the origin of the Merrythought pastime—save in the phonetic sound of the word.

This play *Merrilot*, as described by Brand, in his *Popular Antiquities*, of Great Britain, V. 2, p. 428, is neither more nor less than our play of swinging. It had been long in vogue in England; when about 1710, it became fashionable at the watering places, and Mr. Addison made it the subject of two sharp criticisms (*Spectator*, Nos. 492, 496). Mr. Strutt in his *Sports and Pastimes*, of the people of England, at page 399 describes *Meritot*, as he spells it, but his description adds nothing to the knowledge herein contained, and nothing about Merrythought. Mr. Wright, in his *Dictionary of Provincial English* gives the word, *Merry-totter*, as meaning "a swing or seesaw."

Since every reference by the earliest writers conveys the idea of marriage, it is possible that the word was originally *marrythought*, but I can discover no evidence in support of such an idea. The play and the word was specifically English, it existed in no other country. In France the children gave an entirely different use to the bone—they called it *la lunette* (spectacles) so Cotgrave said in 1673—he was giving English definitions to French words. One of

the meanings given to *lunette* is "the merrie-thought, the forked craw bone of a bird which we use in sport to put on our noses." M. Boyer in 1738 gives the French phrase "*La lunette d'une volaille*," meaning "the merry-thought of a fowl." The English word merry-thought is rendered by *Flugel*, in German, (1841) "*Das brustbein des Gefugels*."

In Holland, the children, even in this century, use the bone in a similar manner to the use by French children. Holtrop, writing in 1801, used this expression, "*De bril van een vogel*," meaning "the merry thought of a fowl"—the word "*bril*" in Dutch meaning "a pair of spectacles," "*vogel*" meaning a bird.

Bartlett's *Dictionary of Americanisms* (1869) gives the word "wishbone" with the commonly understood meaning. He does not refer to the word "merry-thought." In his last edition (1877) Bartlett gives the same word and same meaning, but he refers to "pulling-bone," which he says is the common name in Maryland, Virginia and other Southern states, and the breaking refers to marriage; one piece being placed over the door, "and the first unmarried man who goes under is supposed to be the future husband." But the word wishbone is not an Americanism, it was born like merry-thought in England, and came among us by emigration. Now will come BOOK NOTES and give you its idea of the origin of the custom and of the application of the two old English words to the custom. The ideas connected with the breaking of a wishbone or a merry-thought are quite ancient, going certainly back to the middle, and possibly to the old English people.

It was a very ancient custom among the common people in England to break a piece of silver or gold sometimes a ring, as evidence of a marriage con-

tract each of the contracting parties to retain a half. (*Brand's Popular Antiquities* v. 2, p. 89.)

Out of this very ancient custom came the idea of an "indenture," as known to the earliest English law writers specifically Littleton (1481) and enlarged by Sir Edward Coke, (1628), in his *First Institute* (page 229). This indenture was a contract between two parties, written, then cut asunder, at the top of the parchment, irregularly, with marks of identification upon each section; these parts were then given, one to each party; hence arose the phrases "party of the first part," "party of the second part," etc. As lawyers now write. This act of indenture became specific, under a statute, enacted in the 16th year of Henry 8th (1506). From these ancient serious acts arose the *play*, breaking this singular bone of the fowl; the breaking, and each holding a part, did not mean a marriage contract it was done only in a frolic hence the name "Merry" or "Marry" thought.

The play came to us from England, and like all those whimsical fancies, the idea underwent a process of evolution; one of these innovations is the hanging of the longer fragment over the outer door, the first comer entering under it being the happy winner. The term wishbone is much more recent, it being first seen in the editions of Webster following 1859. Worcester, in 1859, gave both wish bone and wishing-bone with the usual definition, and describes them as colloquialisms of the United States.

A correspondent asks BOOK NOTES to explain the causes which produced the Wat Tyler Rebellion in England A. D. 1381, and also the revolution connected with the "Society of Echevins." To properly explain these questions requires more space than BOOK NOTES has at its command—nevertheless it

will try. The Tyler rebellion sprang into existence on the 22th of June, 1381, lasted three weeks, resulted in the destruction of large amounts of property and in the deaths of perhaps a couple of thousand men. Hume (*Hist. Eng.* v. 2, p. 232) gives the immediate cause of the sudden rising: "An imposition of three groats per head had been farmed out to tax gatherers (which means that the king had given Brown the power to collect money, calling it a tax, from Jones in a perfectly arbitrary way, giving the king a part, and himself keeping all that he could squeeze out of the people.) Hume continues: "The clause making the rich ease their poorer neighbors of some share of the burden being so vague and indeterminate (exactly as it is to-day in Providence) occasioned many partialities and made the people more sensible of their unequal lot." Hume continues—"The first disorder was raised by a blacksmith in the village of Essex; the tax gatherers came to this man's shop while he was at work and demanded payment for his daughter, whom *he* asserted to be below the age assigned by the statute; one of these fellows (these are Mr. Hume's words) offered to produce a very indecent proof to the contrary, and laid hold of the maid, which the father resented by immediately knocking out the ruffian's brains with his hammer." The people rose almost *en masse*, marched for London and asked for reform. "These requests" (Mr. Hume says) though extremely reasonable, the nation was not prepared to receive. Nevertheless the King promised the reform, but kept not the promise."

Prof. Rowley of University College, Bristol, England, thus sets forth some of the causes which resulted in the uprising. (*Dict. Eng. Hist* 1885, p. 1019.) "The exasperation of country artisans and unskilled laborers at the Statute of Laborers." "The city mechanics dis-

abled in many directions by the gilds"—of rustics (farmers) at the revival of claims on their services that had long since been deemed obsolete"—of the small farmers in Kent, and their resentments against landlords and lawyers," by reason of oppression;—"the general severity of taxation."—"and a particularly offensive poll tax" (This on the blacksmith's daughter which was the immediate cause of the uprising.) These are only part of the causes which existed. The people, a hundred thousand in number marched for London, encamped on Blackheath, and Prof. Rowley and Mr. Hume agree in setting forth their demands. I will quote Mr. Hume's (*Hist. Eng. v. 2, p. 231*) words, "they required the abolition of (white) slavery—freedom of commerce in market towns without toll, or impost, and a fixed rent on land instead of the services due by villianage." In three weeks from the first outbreak Wat Tyler (a fictitious name) was killed, the people dispersed and a promise made by the King "of a liberating charter on the spot," but no sooner was quiet restored that the King broke word—no immediate reforms were entered upon, but thousands of honest English working men were hanged. But Prof. Rowley says "their blood was not shed in vain, the landlord class made wiser by the terrible lesson desisted from further claims and allowed free play to the liberating tendencies of the age."

The revolution in which the "Society" of Echevins figured was the French Revolution. Echevin is a French word equivalent to the English word sheriff, but the office was a very different one. The office of Echevin was very ancient, it existed in the time of the Merovingians, A. D. 472; it was continued under the Carolingians, A. D. 752; Charlemagne augmented its powers, A. D. 800, placing Echevins under the control

of an order of superior judges called *missi dominici*, who were actually royal envoys responsible directly to the king. The office exercised three vital powers: (1) the administration of justice, (2) control of all officers of the government, (3) the making of all laws of taxation. Thus they controlled the very life-blood of France. In order to perform these functions the Echevins were clothed with very extensive powers, and hence they became corrupt from the moment of their birth or attainment of office. La Fontaine (A. D. 1667) thus describes the character of the Echevins:

"Aux Echevins on dira franchement
L'Argent surtout est chose necessaire."

which freely rendered into English means,

"For those who would speak to the Echevins
successfully
Money above everything else is the thing necessary."

It was at Paris that this "Corporation" attained its greatest power. From A. D. 1251 it had control of all trade in merchandise; it controlled all commerce, navigation, or means of conveyance for the provisioning of cities; it controlled all the taverns or wine shops, or inns. It practically held the throat of every poor laborer in France in its iron fingers. In A. D. 1382 there was a revolt against the Echevins, but it failed in destroying the "Society." The functions of the "Society" was for six years suspended, but the people slumbered, and by the year 1411, when the king, Charles the 6th, restored all its former functions. From that time the corporation held its awful control over men until the opening of the French Revolution in 1789, of which terrible revolt it had been one of the chief factors. The people had long been restive, at this time they asked of the Echevins reforms in the methods of "trade in grain;" and in the matter of "forced labor;" and in the "control of the provincial assemblies." and in the "stamp

tax;" and last, but not least, reform in the "assessment of taxes" whereby some *show at least* of equality might be had. The "Corporation" of Echevins refused—the mob of Paris arose, and the king, the government, and the Society of Echevins sunk, never to rise again. The repeal of the law under which the society existed, which came on the 14th of December, 1789, came too late to save the Flood of Revolution.—(Larouse *Dictionaire Historique*, v. 7, Art. Echevins.)

Three times officer Frank Anthony has entered complaint of the condition of the sidewalk on Union Street, between Happy and Comfort Streets; nothing has been done. To-day a woman was given a verdict of \$500 for a wrenched ankle for just such a place.

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In 1852, Mr. Henry G. Bohn, published an edition of Lilly's Introduction to Astrology, to which was prefixed a preface by Zadkiel, a pseudonym for Lieut. R. J. Morrison. In this preface appears this phrase, "They join the herd of learned and unlearned, in pledging their word to a false assertion, viz, that Astrology is an unfounded science,"—what is a science which is unfounded? The word unfounded means false, baseless, without foundation. Science is ascertained truth; can there be "ascertained truth" which is "without foundation." Hence, according to Zadkiel, Astrology being an *assumed* science, "unfounded," i.e. the learned are correct when they speak of it as false. There are a great many writers who write sentences meaning exactly the reverse to the meaning which the writers intended to convey. This by Zadkiel is a neat specimen.

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Uncle Tom's Cabin by Harriet Beecher Stowe, with 27 illustrations on wood by George Cruikshank, Esq. London (John Cassell) 1852. \$15.00

This is the first illustrated English edition—in Feb. 1897, a copy bearing the date 1853 was sold at Boston as being the first edition for \$8.50.

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SATURDAY, Dec. 11, 1897.

VOL. 14.
No. 25.

Address of Governor Dyer Before the R. I. Institute of In- struction.

This address was printed at the time of delivery, 29th October last, in more or less complete form in the daily papers; these ephemeral issues are not conducive to preservation, and thus copies are already non-procurable; yet there is an unsatisfied demand for it, which indicates an awakening of public sentiment favorable to the views expressed by the Governor. For this reason BOOK NOTES reproduces it, revised by Governor Dyer; thus it will find both readers competent to comprehend, and institutions adequate to preserve, for BOOK NOTES is now preserved in all the great libraries in this land.

Mr. President, Ladies and Gentlemen:

I find myself put down upon the program this evening as a layman, and as that word means "one of the people at large," I shall ask you to consider with me common school education of the present day as it appears to the people at large.

If we could in a measure divest our common school education of some of its glittering specialties, require of the teachers a little less knowledge of bjo-

logy and psychology, and a little more knowledge of what the children require to fit them to become useful and intelligent men and women, would we not be bringing education nearer to what it should be, of more actual value to the people? Does our modern education educate? Are we quite sure that the people who support the public schools are getting what they have a right to expect? Is the boy of eleven or twelve years of age as well educated to-day as the boy of twenty-five or forty years ago? Then he had a pretty good knowledge of arithmetic and grammar, wrote a legible hand, could spell, knew how to read, and had received a fair education. Can you match the average boy of to-day of that age with the boy I have described?

As nearly 90 per cent. of our pupils close their school work below the High School, we have a right to expect that when they graduate from the grammar schools they should at least have an intelligent conception of the ordinary problems of arithmetic, be correct in the use of our own language, write a fair hand, and be able to spell.

Business men often complain that graduates of fourteen and sixteen years of age are unable to do the the simplest problems of the day, and I speak from

actual experience when I say that the use of the English language, by some of the graduates of our higher grade schools, the utter inability to write a letter correctly, and the woeful ignorance of spelling often displayed, is simply amazing.

Is it not a fact that in order to promote scholars, to make room for those below it has become necessary in many instances to lower the percentage required in the ordinary elementary branches?

Is it not also well known that to keep up with all the demands of the present system, unceasing and wearisome labor is required on the part of both teachers and scholars?

Teachers are constantly required to attend meetings after school hours, to hold frequent conferences with their supervisors and critics, occupying the time which should be their own for recreation and rest. "In the training of children the mightiest and best influence is wielded by the personality of the teacher." If the teacher comes to her work tired and nervous can you expect her to have that influence upon her scholars which she otherwise would have?

Children are required to take frequent examinations and weekly tests at the expense of their nervous systems at the same time creating in them a distaste for the studies themselves; while the frequency of these examinations and tests deprive them of whatever efficacy they might possess.

If you examine many of the modern text books you will wonder if there are no text books made for children. The statement of a distinguished educator of this country that he would have the sciences taught in the cradle is a fair illustration of the times and the methods to which I refer.

The tendency of our common school education is to require too much of the children, the result of which is to make

instruction too general, not definite. "You Americans," said a German professor, "know a little of everything and not much of anything." Then again, if the scholar is weary, not interested, it is impossible to educate him. Everything depends upon what the teacher induces his pupils to do freely, and success depends upon the first impressions. "It is the unvarying decision of wise men whether in ancient or modern times, that the instruction of youth will always be best when pleasantest. That which enters into willing ears, the mind as it were runs to welcome, seizes with avidity, carefully stows away and faithfully preserves."

Even music which was once looked upon as a rest and recreation for the children, is now treated almost as a science, another study to be mastered not only by the child but by the teacher. I read in a recent educational journal an article upon music in the schools in which the writer spoke in evident disgust of the old fashioned idea of singing in the schools and would have music so taught, harmony so learned, that almost any scholar could at any moment take his or her part in the most difficult oratorio. We cannot all of us appreciate oratorios but we can all appreciate a tuneful song. Upon one occasion when the great Christine Neillson had sung a masterful production and in response to a furious encore was called to sing again, what do you think she sang? She sang "Way down upon the Swanee river," and the vast audience simply went wild.

I cannot better illustrate the fact that modern education is shot over the heads of the youth of this country, so to speak, than to quote from an article upon spelling recently published in a leading educational journal. "Learning to spell," says the article, "is largely a matter of association, and in teaching spelling the more sense are

nues from which elements can be complicated the stronger are the resulting associations formed, and the more easily will those associations rise under call, for the simple reason that there are more clues for their revival."

After hearing this, do you wonder that the layman stands aghast, and the children cannot spell?

I do not think that in their proper places specialties should be opposed, but their value recognized as accessories to education.

There is one branch of modern education worthy of all commendation, manual training, one of the most successful educational departures of the present day.

It is gratifying to know that child study has become one of the duties of the teacher. "Childhood," says Rousseau, "has its own way of seeing, feeling, thinking, and it is by studying them that we find out how children should be educated."

But I do insist that the old-fashioned common school education should be brought to the front and put into universal use.

Caleb Cushing once said that the statesmen of this country who carried the nation through the Civil War were the peers of any statesmen that Europe had ever produced. The old-fashioned education which made a Lincoln and a Grant, together with the galaxy of stars whose light still guides the pathway of this people, is an education good enough and grand enough for all the days to come.

And in closing it seems to me that we get the best idea of what common school education should be by applying to our own use those beautiful words of Quick's, "The course of great thoughts is in some ways like the course of great rivers. Most romantic and beautiful near their source, they are not most useful. They must leave the mountains in which they first ap-

peared and flow not in cataracts but smoothly along the plain among the dwellings of common men before they can be turned to account in the every day business of life!"

Kickemuet, the Indian Village.

The extreme northwesterly part of Mount Hope Bay has an arm extending north, now known as the *Kickemuet* river. Along the banks of this river summer visitors have built their habitations where once stood the wigwams of the Wampanoags. The name is Indian—it may not be without interest to devote a few moments to the consideration of it. The earliest mention of the name in the annals of the English settlers appears in a deed of the territory lying near and including it, given by Massasoit and his son Wamsutta to certain distinguished men of Plymouth, of whom Gov. Bradford was one, for thirty-five pounds sterling. The date of the deed is 29th March, 1653, and the name was thus spelled, *Kickamuet*, (*Bailey's Hist. Plym. Bk. 2, p. 234*). Fessenden (*Hist. Warren*) reproduces this deed (page 56) and spells the word *Kickomuet*. Here are two variations in transcribing the same document.

In 1665 Wamsutta made complaint to the Plymouth Colony of the damage done by English "swine on the neckes called Annawamscutt and *Kekamewell* (*Plym. Col. Rec. v. 3, p. 192*). In this connection the Record reads: "Near by was a spring called *Kekamewest*." (*Plym. Col. Rec. v. 5, p. 248*.) The Recorder at Plymouth notes the sending of Lieut. Hunt and Joseph Peck to "view the damage done" by swine "on *Kickamuet neck*." (*Plym. Col. Rec. v. 2, p. 209*), which is described in these same records as being in the entrance of "Mount Hope Necke." 1679. (Vol. 6, p. 16). It was then spelled *Kekamuet*, and is also spelled at about the same time *Keckamuet* (vol. 6, p. 29). Capt. Church writing about 1715, a History of

King Philip's War, speaking of the advance of the Plymouth soldiers, says: "They marched until they came to the narrow of the neck at a place called *Keekamuit* (Church's Hist. ed. 1772, p. 13.) This word is spelled differently in Church's History, the edition of 1716, which was the first—thus *Keekkamuit* (page 6.)

John Callender, writing in 1739, says: "Both Philip and his chief old men were utterly averse to the war, and they shew the spot. Kikemuit spring, in a farm belonging to Stephen Paine, Esq., of Bristol, where Philip received the news of the first Englishmen that were killed with grief and sorrow, and wept at the news" (Hist. Disc. 1st ed., 1739, p. 73.) See also Hist. Soc. Col. R. I., v. 4, p. 126. This note, written within a lifetime following the event, destroys whole pages of tradition, which has been formulated into "history" since Callender's time.

The Rev. Jeremy Belknap, writing in 1798, says: "The principal seat of Massasoit was at Sowams and Kikemuit. (American Biography v. 2, p. 221.)

In 1822 the Rev. Samuel Deane, in a communication to the Mass. Hist. Soc. (Collections, Sec. Ser. v. 10, p. 174), incidentally touches the word *Keekamuit*, as he writes it. Mr. Deane says: "That *wutohkekum*, the Massachusetts and Narragansett name for, 'a spring,' is derived from: *wuttatash*, 'drink,' and *kikegat*, 'day' or 'clearness,' that is 'a clear spring,' hence *Keekamuit*, a clear spring, the aboriginal name of Bristol, R. I.

Mr. S. G. Drake writing in 1827 says "Keekamuit now the upper part of Warren which has been taken from Bristol. It is called on the map of R. I., Kikemuit, or rather the bay which makes the neck on one side is so called; Warren river makes the other side. (Hist. Philips War 1827, p. 34.) Alexander Young writing in 1841 follows Mr. Belknap's note (Chronicles of the

Pilgrims p. 208). Mr. Guy M. Fessenden writing in 1845 says "On this (Mount Hope) neck were three Indian villages, viz., Montop located near the mount; Kikemuit, around a spring of that name; and Sowams, or Sowamset, pronounced S'womset on the spot where the village of Warren now stands." (Hist. Warren p. 13). Mr. Fessenden again refers to the word (page 65), Dr. Usher Parson's writing in 1861 gives the form Kickamuit which he says means "*a back river*," but what that means, Dr. Parsons does not inform us. He cites G. A. Brayton as authority that the name was applied to the "Apponaug Mill Stream," for which probably there is no authority. Then Dr. Parsons says "it is a river in the north part of Warren," and "it is a spring at the extreme N. E. part of Bristol a few rods from the Warren line. In the Narragansett dialect springs were called *Watchkecum*, clear spring *Mishamuit*. On the other side of the bay (that is, the region where Kickamuit is) springs were called *Dashmuit*, *Ashimuit*; but Kickamuit means *clear spring*." (Parsons' Indian names p. 15). This note came wholly from Mr. Deane's note, and is full of errors. Dr. Parsons gives two entirely different meanings surely both cannot be correct.

In 1865 Mr. H. M. Dexter edited an edition of Church's Hist. King Philips War. In a foot note (Part 1, page 6) Dexter presents Fessenden's note, adds a note of his own, which only confuses the case, and cites Trumbull in denial of Dr. Parsons, when Parsons said Kikemuit means "a black river," "No," says Trumbull, it has lost an initial syllable. *Tokekommuit*, signifies "at the spring or water source," and Hammond refers to Eliot's Indian Bible for the word *Tohkekum*. Eliot's Bible was published in 1663. Mr. Dexter gives in his Index to Church another form thus *Keekkamuit*. This as is shown above is in agreement with the text of Church's first edition.

In 1643, twenty years before the publication of Eliot's *Indian Bible*, Roger Williams published his *Key* into the *Indian Language*, and to this day it stands at the very head of authorities concerning the philology of that language. Mr. Williams says *Takekum*, means "a spring." *Takekumnuo*, means "is there a spring." Eliot gave *Tohkekum*. Mr. Trumbull was right the first syllable has been lost, *Ta* and a last syllable *nit* has been added thus *Kekumuit* which means perhaps at, or around the spring, and was the name of the Indian village.

Plymouth Colony had claimed jurisdiction, in spite of the charter of 1663, to all lands on the eastern side of Narragansett Bay. In 1691, the Massachusetts Colony by a trick swallowed Plymouth, and for half a century pressed her claim to these lands. In 1746 the King of England by his Council, threw out the Massachusetts claim, and gave jurisdiction to Rhode Island. In 1755 the Colony of Rhode Island enacted a law to prevent the setting of seines in *Kikemuit* river—so it is printed (Col. Rec. 5. 472.) But in the Acts and Resolves Feby., 1755, the word is printed *Kekemuit* (page 79). The law provides "that no sein shall be set or drawn in Kekemuit river within half a mile's distance from the said narrows called Little's and Mason's Narrows."

In connection with this paper my thanks are due to Mr. Wilberforce Eames, Librarian of the Lenox portion of the New York Public Library, and to Miss Mabel Emerson of the Providence Public Library, a young woman whose skill in these matters I have oft-times tested.

There came to BOOK NOTES two smallish books bearing titles as here follows:— "*A Burne-Jones Head*," the other "*Threads of Life*," both written by Clara Sherwood Rollins, an unknown author to the writer hereof. The first volume is a series of character

sketches, six in number, and the second volume appears to be a development of one of these sketches into a more extended sphere of human life—hence they can be treated together as one essay. They are in fact a group of Essays or episodes written for the purpose of tracing human actions back to the human passions, which are the real springs of human actions. It is not all the passions which are touched upon, but chiefly, love, jealousy, hate, avarice, fear, etc; brought into close connection with these passions are some of the virtues which beset mankind, to wit; charity, sympathy, intelligence, courage, etc. Were there no other indications, the author betrayed her sex, in her discussion of courage; it is *the* virtue which woman most loves in man, and there is an unwritten something in the narrative which makes me sensitive to what must have been the feeling of the woman while she wrote. She is an educated woman, gifted with two powers, the power to think and the ability to write with clearness the result of her thought; moreover she has, herself, courage, having satisfactorily to her reason, reached a conclusion, she has the courage to utter—it is a great gift—few men or women can do this—fewer still actually do it. It is a proper study for the close of the nineteenth century; in fact it could not have been written at the beginning of this century, it breathes the very spirit of today. Had the woman lived in the sixteenth century and written upon the theme, and in the spirit in which she has now written, her name would have been Montaigne—and this reminds me how fitting something which Emerson once said of Montaigne is to this woman: "There have been men with deeper insight, but never a man with such abundance of thoughts; never dull, never insincere, and with sufficient genius to make the reader care for all that he cares for." That is a perfect picture of this woman, as one sees it in her

handiwork. She can set us a-thinking, and it is a wonderful power. The books are of immaculate purity in morals: in religion they breathe the very essence, but ignore the cloak: there is neither snivel nor cant about her; but there are things which I personally do not like, and here is one "Justice is only a temporary expression of the conviction of the majority in courts of Law." That which is right, is not wrong because a majority says that it is wrong. In all the great questions of morals in the past, the minority were always right; is the truth a lie, on the turn of a majority vote. So sometimes in her expressions I do not agree, here is a specimen. An ocean steamer in the broad sea collided with another vessel. The term is used she "struck a snag," this might do for a flat boat on one of our western rivers, but it is not fitting where it is here used.

Here is another, "His English was

delicious." This word delicious I am well aware has been used by men popularly believed to be writers of the English Language in good form; it must become obsolete in the sense here used. Here is another "of course it's vanity," that word "it's" is in the possessive case, there was nothing in the context capable of being possessed. In another respect I am disposed to criticise; a writer so very bright, as this woman is, can much better draft new and original illustrations than use the lammer tamer ones from meaner writers.

These must suffice for criticism; there is so much in the books which I like so well, that I am willing to overlook these blemishes, if indeed they are blemishes. Gifted by nature with splendid powers, a responsibility rests upon this woman to use them well. We are what we are, because the Divine Creator designed us for something. Accidents do not happen with the Divine Creator.

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SACHUEST.

The earliest mention which we have yet seen of the name Sachuest occurs in the records of the July session of the Rhode Island General Assembly, 1667. The people were disturbed by the danger of an Indian war, and the Governor and the Council of War were authorized to set up beacon poles at various places; the record says "perticularly one upon the rocks at Sachrest."

In July 1716 a plat or map of the locality was made by John Mumford. In October this map or plat was copied by John Barker, and afterwards placed in the Town Clerk's office at Middletown; the name was spelled Sachwest.

In 1741 His Majesty's (George II) Court of Commissioners made a map of the sea coast from Paucatuck River to Point Judith, and also of the entire Narragansett Bay. On this map the name is given Setchawest. In 1750 the land having been given by final decree of the king to Rhode Island, the General Assembly became impressed by the "necessity of a way for His Majesty's subjects to pass and repass from that part of Middletown called Sachwest Beach." The word is thus spelled four times in this specific law—(Col. Rec. 5, p. 281.)

The earliest mention in the Middletown Proprietors Record was April 18th, 1744, spelled Sechewest, the entry was one of annual rent. This form of spelling was continued in these records until 1771, when the name as applied to this beach was abandoned, and the name Town Beach was given to it—at this time (1771) the word was written Sechwest. This change in name was probably because all the people in the town wished to gather seaweed there—while certain individuals wished to be paid for allowing the towns people to gather it. It was not until 1826 that the name Sechewest reappeared, then written Sachwest. At that time a legal fight for the individual possession of the beach began, and Ashur Robbins gave an opinion. Mr. Robbins wrote the word Sachtuwest; at the same time Dutee J. Pearce, another lawyer, gave an opinion, writing the name Suchawest. The form Sachuest (the original form) reappears in an opinion given in a law case in 1877. Dr. Parsons gives this form in his "Indian Names" Sachuest, and applies it to "a Point, and a Bay making the Southeast point of Rh de Island, it is nearly opposite, and Northwest from Seaconnet point." This was written in 1861, it was taken from Church's "History of King Philips

War," first published in 1716. Captain Church here made an original corruption (quite as bad as he made in the case of Sagonet; spelling it Sogkonate) by the spelling of Sachweeset for Sachuest, and Dr. Parson's followed him in both cases.

The name is given on the Blaskowitz chart of Narragansett Bay, London, Eng., 1777, Sachuest and the sea in front is called Sachuest Bay. So the sea in front of Easton's Beach is called Easton's Bay. On the chart of 1873, made by the U. S. Government, the name is given Sachuest; this name is given to the projecting land on the North, Sachuest Neck, the extreme western point is called Sachuest Point. On the Harris map of Rhode Island, 1795, the name is given just as it is given on the Blaskowitz chart.

These notes relate wholly to the orthography of the word; concerning the meaning of it we know nothing—nevertheless we will make a suggestion. It has some meaning with reference to the winds, which may have been dangerous there—specially the northeast wind. Williams gives this formidable word Sachinnochepewessin, and defines it as a strong northeast wind—an examination of a chart will demonstrate the reasonableness of this Indian meaning.

This paper was written for Miss Mollie Brownell for her *Grasshopper*; the young lady lives in summer on Sachuest Beach. But let us have a word concerning this young woman and her *Grasshopper*. Miss Molly Brownell is a very young lady living on Broadway. She publishes this little periodical entitled the *Grasshopper*, it is in size about 5x7 inches—last year it was about 6x8; it contains from 12 to 24 pages. This young (very young) woman writes her articles, illustrates many of them with her own drawings, which she has prepared for printing; is her own com-

positor, setting all the type; makes up the forms from the galleys; locks the forms and knows the art of imposing them; owns her own printing press, and works it in printing her editions. She is author, compositor, proof-reader, artist illustrator, and pressman, all in the person of a beautiful girl not yet eight-en. Concerning her intellectual strength it is not yet time to speak, but below is a specimen of her artistic skill, and how she uses it. As a matter of fact the *Grasshopper* is a work of much artistic skill, and bright withal. Miss Molly Brownell is a young woman of much promise.



What is that brother?

Why that is the bright little Grasshopper of course.

And where does he come from dear brother?

From the sign of the Gothic Gargoyle sister.

And does he come out often?

Once a month dear sister, weather permitting.

Mr. David W. Hoyt, Principal of the High School, has with great labor and excellent skill, gathered and arranged memorials of the *Old Families* of Salisbury and Amesbury, Massachusetts. In pursuance of a prospectus, Mr. Hoyt now issues Part One of the book. There will be five of these parts. The present part presents genealogical memoranda concerning the following families: Allen, Ambrose, Ayer, Bagley, Bailey, Barnard, Bartlett, Batt, Beadle, Blaisdell, Bond, Boynton, Bradbury, Brown, Burroughs—and it has mention

of some families in Newbury, Haverhill, Ipswich, and Hampton, towns in Massachusetts, related to the families herein named. Mr. Hoyt has not intended this work as a complete history of these early families, but it is a good starter for some future book-builder in this line. The work appears to be excellently done on the part of Mr. Hoyt, he is a careful and methodical worker; without this care and method his work would be without value. The work of the printers, Messrs. Snow & Farnham, is positively admirable. It is a very difficult matter to print such a book and print it well, but this book is better than good, it is excellent. Each part will contain 80 pages, or upward, and the price is \$1.00 per part, post-paid.

Within a few years a number of "Societies" or "Orders" for both men and women have been organized in this country, membership in which, demands descent from an ancestor, invested at some period of his life with some position of honor or of public trust, or marked in some way by events connected with the early history of this country. Among these "Orders" we make mention of the Daughters of the Revolution; Daughters of the American Revolution, Colonial Dames, Mayflower Society, etc., etc. In January, 1896, the *Order of the Descendants of Colonial Governors* was formed, and recently there came to the writer the *Roll of Members in Michigan* of this order; it is for 1897; a beautifully printed pamphlet in which is the portrait of Mary Cabell Richardson of Kentucky, the founder of the Society. The "Order recognizes as Colonial Governors, all persons invested with supreme executive authority in the government of Colonies," and it admits as among Colonial Governors, all Deputy Governors "who were temporarily invested with supreme governing authority;" and the

Order also admits upon claims for "distinguished citizens in their election, or appointment to the office of Governor, even if for good reasons they did not exercise its powers." Everything must be prior to 1750. It is under the last of these provisions that a member of the Order gains admission from a descent from Christopher Almy, "Governor elect of R. I." Mr. Almy was never "invested with supreme authority," he never took the oath. This however was not required. The case under a Deputy Governor was different, absolute investment of Supreme executive power is here required, but under Deputy Governor Ellery, 1748-9, I do not think such an investment can be shown. The occasion for investment never arose. Concise biographical memoranda of each ancestor, from whom descended each member of the "Order" named in this book. So we have for Rhode Island, Christopher Almy, Governor elect, 1690; William Brenton, Governor R. I., 1666 1669; Caleb Carr, Governor R. I., 1695; Sir John Coggeshall, President of R. I. Colony, 1647; Nicholas Easton, Governor R. I., 1672, 1674; William Ellery, Deputy Governor, R. I., 1748-1750. This Order is one of the youngest of these Orders, but one of the most attractive. In Rhode Island are many excellent women who were descended from our early Governors; in the near future this State ought to furnish one of the most reputable chapters in the Order. The brief list of Governors above given must not be supposed to represent the complete list. On the contrary it gives only those "behind" the present membership in Michigan, or elsewhere.

Messrs Baker & Taylor Co., of New York city have published "*A Colonial Witch*" by Frank S. Child. This gentleman has written two former books, having close relations to, but in no way connected with the present volume, which

is a study of the Black Art (witchcraft) in the colony of Connecticut; last year Mr. Child gave us the *Colonial Parson*: in the present volume a specimen of the genus of coarse figures prominently. These books are really valuable in this respect. In the form of a story, the curious social conditions which existed in these Puritan colony are set forth. There may have been no Master Johnes, the Pastor, but had there been, he would have acted exactly as Mr. Child has described the action, of this character. So vivid is the picture that one can feel only despicable contempt, even hate for such a besotted fool; as for the child Sapphira Hardy she wins and holds our affection from the moment we first know her; and as for her mother, the widow Hardy who was hanged to an Oak, under a charge of witchcraft, like one Mary Dyer, we can never withhold our admiration, but the story is painful, just to the degree that it is truthful. Those were awful days. Concerning the construction of the language used, Book Notes thinks some better forms might be found—such for instance as

I greatly *fear me* that our days of *peace* are done," again, "Grave responsibilities are *decreed* unto us," again, "She watches me *like the fox watch* our chickens," again, "They were *gotten* to bed" again, "The Indian servant muttered incantations tossing her arms and calling upon *one knows not what*." The nature of an Indian Deity does not appear in the words "one knows not what," whatever other quality an Indian Deity might not possess, life or existence, were essential qualities. Nevertheless the book is a faithful picture of a neighboring colony, in which a social life existed, bearing no relation to that which existed here, and which state for many years sent large sums of money into Rhode Island to "convert" the poor heathen living here.

The trials of Christian Scientists for practicing medicine contrary to law,

before Judge Sweetland took place on Friday, Dec. 3, and the *Journal* presented a report from which we have taken the "facts" herein discussed. Mr. Everett Hall, a police messenger in the disguise of a citizen, testified that he called on Walter E. Mylod and "represented that he had malaria," "the defendant shaded his eyes and sat still for ten minutes"—the witness paid \$1.00. The second witness, Vaughan, was also a policeman in the disguise of a citizen; he told Mylod that "he had the shivers," and he called again and "told the defendant that he had had more shivers," then, under examination "he admitted that he did not have shivers, but was sent there by Detective Parker." This was all the testimony. There is positively *no evidence* of the practicing of medicine, neither of the witnesses was actually sick. Vaughan swears that when telling Mylod that he had shivers he had no shivers; Hall did not show that when he told Mylod that he had malaria that he actually was sick from that or any other disease. Falsehood was at the base of the actions of both policemen; certainly for men so situated *medical treatment* was not required; if the invocation of Divine help would not avail, nothing ever could.

When a regular practitioner calls upon a quasi sick and finds a person in no need of medicine, but for whom the physician dare not decline to prescribe, gives some harmless but useless drug, relying for a cure upon that confidence in his skill which the quasi sick possesses, how differently does he act from the Christian Scientist? There must be many imaginary sicknesses for which a faith cure is positively the only remedy. Let me state a few points: In 1870 the number of physicians was 262. In 1890 the number had increased to 434. The death rate as given by the State Board of Health was in 1870, for each 1,000 inhabitants 14.9, for the year 1890 the rate was 20.7 for each 1,000.

The rate of increase in the number of physicians is about 62 per cent—in the place of relucing the death rate—this rate increased nearly 50 per cent, in case the Board of Health figures are to be trusted. Things have come to a pretty pass here in this land of personal freedom, if I cannot prescribe for a friend a compound cathartic without the risk of a sentence to the State Prison.

The action of the *Journal* toward Mr. William W. Rickard has been simply diabolical. Let BOOK NOTES give you a few specimens of charges printed by this well-edited sheet: From the 13th of December, "Illegal transactions brought to light" rests on "Intimations;" "Will never dare to come back here" (rests on somebody's "thinks"); "Interest moneys collected and never accounted for" rests upon "stories of;" "mortgages paid, and discharged, and then transferred to others," (rests upon "stories of" "and other transactions beyond the pale of the law." The *Journal* ought to be given an opportunity to show that these paragraphs are within the pale of the law. But let me go on, the *Journal* gives this, as the utterance of Mr. Kilvert, who is the confidential clerk of Mr. Rickard: "He (Kilvert) said the only evidences of anything wrong he had found so far were some cases where interest money had been received and not entered on the mortgage record; there were a few of these, and one or two where Rickard had used some of the principal. This is done by all men in the business and is expected, he (Kilvert) said," Will Mr. Kilvert kindly admit that he actually said these things, and then, will the *Journal* actually prove the truth of what it has printed. It is to the public interest that such outrages do not go on—it will be your

turn, or my own turn next. Let these innuendoes be counted in the assets of Mr Rickard and collected. A business community, which will permit, or submit to such things will deserve only the contempt of all right-minded men.

The Library Building recently erected for the Congressional Library, at Washington has the distinguished excellence of having cost more of the people's money than any similar structure on the face of the earth, (*cui bono*) \$6,360,000. The Boston Library building comes next, costing upwards of \$6,000,000, the latter is practically mortgaged for two thirds of the cost at 5 per cent. The annual interest charge would go far towards buying all the books which the building holds, such is the wisdom of wise men. As works of art these buildings are enthusiastically described by those who favor such things. In order that we can obtain a glimpse of the new buildings at Washington, Messrs Dart and Bigelow of Providence, have prepared a little book of very beautiful gelatine prints covering the entire structure both the exterior and interior, even to the minutest detail; technically speaking, the work of those who made the book has been excellent; the gelatine prints made by the Heliograph Company are fine, and the little book is an artistic memento of a magnificent structure. In the old world buildings like this, were built for the residence of some worthless individual, whom the deluded builders were made to believe, ruled them for his personal aggrandizement by Divine right We certainly have improved, in the matter of use—but are we less deluded? The price for Messrs Dart & Bigelow's book, entitled "*Library of Congress*," in a box, is \$1.00 by post anywhere.

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AN INDEX TO PRINCIPAL LOCAL AND HISTORICAL MATTERS.

| | |
|---|--------------------------|
| ALMY, Christopher. (Gov. R. I.) | 263 |
| ANDREWS, Pres. Assault upon | 189, 201 |
| ARNOLD, Genealogical Tree | 192 |
| ARNOLD, Gov. B. Grave desecrated at Newport | 136, 149, 183 |
| ARNOLD, William. His Forgeries in the Indian Deed | 2 |
| BAILEY Brook Farm | 133 |
| BANK Directors. Legal liability | 112 |
| BEACONS of the Revolution | 158 |
| BICYCLE. Frightful immorality | 125, 137 |
| BLACKSTONE River. Sundry names for | 86 |
| BOOK Subscription frauds | 136, 183, 208 |
| BOOK Trade. Its condition | 136 |
| BOORN, Stephen. His Confession of Murder | 147 |
| BOSTON Public Library Debt | 76 |
| BRADSTREET credit ratings of those who failed—an outrage. | 40 |
| BROWN University Trustees vs Andrews | 189, 201, 207 |
| CANTLEVER, pedigree of the word | 190 |
| CHRISTIAN Scientist Doctors. Their trial | 265 |
| CIVILIZATION and Decay, Law of, Brooks Adams | 145, 157 |
| CONSTITUTIONAL Commission, a Partisan body | 113 |
| CONSTITUTIONAL Convention. The Supreme court decides that the General Assembly cannot call | 192 |
| But it can appoint a Constitutional commission | 192 |
| CROWE, ROBERT, The Murderer | 28 |
| CUMBERLAND, backwardness of the town in supplying the army in the Revolution | 182 |
| DEATH Rate—increasing—while the number of Doctors was doubled | 73, 97, 264, 199, 204 |
| DEATH by Starvation in Providence | 73 |
| DIPHTHERIA Scare in Providence, 1896 | 112 |
| DOCTOR. Can I legally select my own | 206 |
| DORK, H. C. His Proprietors of Providence severely condemned | 252 |
| DYER, Gov. Elisha. Address on Education | |
| DURFEE, Thomas. Infringements of Copyright of R. I. Hist. Tract No. 18 | 168 |
| ECHREVINS. Destruction of the Society of | 248 |
| EGGS. Nine thousand cases in cold storage | 225 |
| FARNHAM, J. E. C. Providence to Dallas | 111, 190 |
| FORGERIES in the Sachem's Deed to Williams | 1 |
| GARDINER, Edwin R. His literary work | 161, 232 |
| GRIEVE, R. Hist. of Pawtucket | 85 |
| HARRIS, William. His anarchism | 13 |
| HEALTH Board work in R. I. | 73 |
| HEALTH Dept. vs Norberg etc | 40, 64 |
| HOPKINS Esck. Rank question | 86, 238 |
| HOYT, D. W. Old Families of Salisbury | 262 |
| INSURANCE Swindle in Massachusetts | 77 |
| INSURANCE Law a Fraudulent Statute | 27, 62 |
| JOURNAL (Prov.) gives 20 ft. 10 in. to an account of a Prize Fight | 89 |

| | |
|--|--------------------|
| JOURNAL. The key note of its existence | 217 |
| JURY Packing. How treated in Mass. and how in R. I. | 238 |
| KEDINKER Island. Origin of the name | 49 |
| KEENE, Dr. Geo. F., on Antitoxin | 231 |
| KICKEMUET. The Indian Village | 255 |
| LANDLORD'S Encroachments | 39, 112 |
| LATIN Club in Providence 1823 | 113 |
| LAWYER'S. Complaints against | 16 |
| LINGANE'S Criminal Conviction | 100 |
| LOTTERIES rampant under the ban of the law | 122, 135, 181 |
| MADEIRA ISLAND—a critical note | 52 |
| MANUAL Training School, and the local Editor of the Journal | 184 |
| MCKINLEY election parallel to that of James Buchanan | 137 |
| "MEX of Progress" humbug | 16 |
| MERRYTHOUGHT. History of the pastime | 244 |
| MOWRY, W. A. Uxbridge Academy | 111 |
| NOVEL reading. The immorality of it | 123 |
| O'CONNOR, Feargus. Small Farms | 39 |
| OLNEYVILLE Free Library—after money again | 233 |
| ORDER of Colonial Governors | 263 |
| PAWTUCKET. Grievance's History of | 85 |
| PAWTUCKET School Course of Study | 64, 65, 81, 75 |
| PAWTUCKET River Pollution | 45 |
| PLUMBERS' Association in Massachusetts an unlawful body | 252 |
| POLLUTION of Streams—Position of Supreme Courts | 25 |
| POLLUTION of Streams | 76 |
| PURIFICATION of Water | 109 |
| RICKARD, W. W., Action of the Journal denounced | 265 |
| RICKARD, Mrs. James H., on Revolutionary Beacons | 158 |
| RHODE Island—Blunders of Judge Davis exposed | 197 |
| RHODE Island Bar—Shysterizing lawyers in, or at | 209 |
| RHODE Island Bar—Court appoints a committee to consider complaints against lawyers | 16 |
| RHODE Island Missionary ground, for her immoral books | 147 |
| ROLLINS, Clara S., Her "Burne Jones Head," and "Threads of Life" | 257 |
| SACHEST—The dangerous northeast wind | 261 |
| SACONET, and its corruptions | 121 |
| SCHOOL System (see Pawtucket) | 87, 159 |
| SHERMAN, Sidney, Salary clipped for political reasons | 183, 200 |
| SOUL Liberty in Rhode Island | 62 |
| STEERE, Thomas, Obituary | 99 |
| STEVENS, C. E., Sources of the Constitution, critical note | 61 |
| STRAWBERRIES picked in November on Conanicut | 235 |
| STREETS—Do adjoining landlords own the earth beneath | 59 |
| TARIFF—An insidious robbery | 113 |
| TAXATION Question in Providence | 213, 220, 229, 237 |
| TRUSTS and Combines—Judge Browne of U. S. Court against | 110 |
| UNION Railroad Stock, and the "Journal," | 185 |
| VACINATION—The beginnings in Boston and in Providence | 57 |
| VOTING Lists in Providence purged | 123 |
| WAT Tyler Rebellion | 247 |
| WATER Rate reduced in Providence to "protected" mills | 41, 53 |
| WISHBONE Pastime. History of | 214 |
| WHITNEY, George H., Death | 149 |
| WOONSOCKET Daughters of the Revolution | 155 |

3015



